

## **EXHIBIT B**

**DECLARATION OF TERRY GANDY**

1. My name is Terry Gandy. I am a white male and am over the age of nineteen (19) years. I have personal knowledge of the facts set forth below pertaining to the case pending in the United States District Court for the Middle District of Alabama, Eastern Division, styled Denise L. Smith v. Sears, Roebuck and Co., CV-05-1018-MHT. I give this Declaration voluntarily, without coercion and under penalty of perjury.

2. From August 2003 until June 2005 and at all times relevant to the above lawsuit, I worked for Sears, Roebuck & Co., at its store in Auburn, Alabama as its Loss Prevention Manager. My duties included, but were not limited to, investigating employee dishonesty, fraud and other integrity issues, enforcing Sears' Code of Conduct, training new and current associates on Sears' loss prevention policies, supervising the loss prevention team, monitoring shoplifters, and performing safety inspections. I reported to the Store General Manager ("SGM"). I am currently working as the Operations Manager at Sears' Tupelo, Mississippi store.

3. Sears is a national retail store that sells fashion merchandise, hardware, paint, automotive supplies, home fashions, home electronics, office equipment, and home appliances.

4. Sears employs sales associates throughout its stores. Sears also employs service technicians to travel to customers' homes to repair and perform preventive maintenance on the products it sells.

5. Sears has a policy strictly prohibiting employees from giving unauthorized discounts to its customers. This includes applying coupons to sales transactions when customers are not eligible to receive the discount as provided by the terms of the coupon.

Sears considers this conduct to be completely unethical and grounds for immediate termination. This policy is clearly stated in Sears' Code of Conduct in Sears' Associate Handbook. The Code of Conduct is distributed to all Sears' sales associates and reviewed with them annually. A true and correct copy of Sears' Code of Conduct containing its unauthorized discount policy is attached to hereto as Exhibit A.

6. At all times relevant to this lawsuit, Kenny Reese (white) was the Store General Manager, Byron Mason (African-American) was the Softlines Manager (which included the apparel, home fashions, luggage, and the shoe departments), John Lawrie (white) was the Hardlines Manager (which included the appliance, electronics, lawn and garden, fitness, vacuums, and hardware departments), and I was the Loss Prevention Manager.

7. Denise Smith worked as a full-time sales associate in the appliance department from April 2004 until her termination in November 2004.

8. Sears offers various coupons to its customers. These coupons have terms and conditions written on them including what products the coupon should be applied to and what customers are eligible to receive the coupon.

9. During my employment at the Auburn store, sales associates were trained to discard a coupon after they received it from a customer and applied it to a sale or to put it in the detail drawer to be turned into the cash office at the end of the day.

10. Sears has a \$65.00 service coupon that its service technicians distribute to Sears' customers who have received a service call at their home but have declined to have their appliance repaired because they wanted to purchase a replacement. Sears offers this \$65.00 coupon to these customers as an incentive for them to purchase a

replacement item at Sears rather than one of its competitors. These coupons are distributed by Sears' service technicians and not by Sears' sales associates. Only those customers who have received a service call and have declined a repair are eligible to receive this \$65.00 discount. No other customers are permitted to receive this discount. This condition is clearly stated on the coupon. A true and correct copy of this service coupon is attached to this Declaration as Exhibit B.

11. The service coupon itself has instructions on it specifically directing sales associates to collect and destroy the coupon and not to reuse it. (See Exhibit B).

12. On or about October 31, 2004, Joel Smith, an independent contractor who handled Sears' deliveries for the appliance department, informed me and John Lawrie (the Hardlines Manager), that he thought Beatrice Willis, another sales associate in the appliance department, was providing unauthorized free delivery to Sears' customers. I immediately began investigating this allegation and discovered that Willis had approximately 15 or 16 transactions involving Sears' service coupon. This was extremely high for one associate. A store the size of the Auburn store usually had only a total of 4 to 8 service coupon markdowns per month for the entire store. Therefore, I contacted the service department to see if all of these customers had received a service call and were therefore eligible to receive the discount. The service department told me that almost none of these customers had received a service call. This investigation subsequently led to Willis' termination in early November 2004. The decision to terminate Willis was based solely on the fact that she had blatantly misused Sears' service coupon.

13. Reese and I subsequently determined that we needed to investigate all of the remaining associates in the appliance department to determine if any one else was abusing the service coupon. The other appliance associates who were working in the appliance department at this time included Denise Smith (African-American), Jackie Dodson (African-American), Carolyn Landers (white), and Merle Miller (white). Neither Clint Till nor Stephanie Darby were working as a Sears sales associates at this time.

14. I pulled a summary of each these sales associates' transactions and the journal tapes associated with these transactions as I had done when I investigated Willis. The journal tapes showed the details of each associates sales transactions for those days, including the customer's name, the associate number of the sales person who completed the sale, and the bar code number pertaining to any coupons that the associate used. Examining the bar code numbers on the journal tapes was the only way to determine exactly what coupons the sales associates used. Because of the memory limitations of Sears' register system, I was only able to obtain and review the journal tapes for the past 30 days.

15. These journal tapes revealed that she Smith had used the service coupon 9 times within the last 30 days. (I have attached as Exhibit C to this Declaration true and correct copies of the journal tapes and associate summaries I reviewed during my investigation relating to Smith's transactions.) Smith's associate number was 190. I contacted the service department and learned that 7 out of Smith's 9 customers had not received a service call. Reese and I then contacted Sears' corporate Human Resources consultants at Sears' corporate office. The HR consultant advised us to interview and obtain a statement from Smith regarding her misuse of the coupon.

16. On or about November 8, 2004, Nina Fitzwater, who was the HR Lead at the time, and I interviewed Smith about her misuse of the service coupon. During this meeting, Smith admitted that she was reusing the service coupon and giving it to customers who were not eligible to receive it. This was a blatant violation of company policy. Smith's only explanation was that she was not aware that she was prohibited from doing this. This was despite the fact that she had received and been trained on Sears' unauthorized discount policy and the coupon itself said when to use it and to "collect and destroy" it after using it. I have attached as Exhibit D to this Declaration a true and correct copy of Smith's statement from this interview and my notes from this meeting with Smith.

17. Based on my investigation and my interview with Smith, Reese and I concluded that Smith should be terminated. (See Exhibits C and D). The corporate HR consultant approved our recommendation. I did not consider Smith's race in making my recommendation. My decision was based solely on the investigation which revealed Smith had violated Sears' unauthorized discount policy and her failure to reasonably explain her misconduct. Neither the HR consultant nor Reese ever said or did anything to lead me to believe that they considered Smith's race in recommending/approving the decision to terminate her.

18. On or about November 14, 2004, I called Smith at home, per her request, and told her she was being terminated for misusing Sears' service coupon.

19. This same investigation revealed the following about the other sales associates in the appliance department: that associate Dodson had completed four sales transactions using the \$65.00 service coupon; that associate Landers' had completed one

transaction using the \$65.00 service coupon; and that Miller had completed none. I did not investigate Miller any further because my investigation showed he had not used the service coupon.

20. I contacted the service department and verified that Landers' one customer had received a service call. I therefore concluded that Landers had not violated Sears' unauthorized discount policy. I have attached as Exhibit E true and correct copies of Landers' associate summaries (associate #414) that I reviewed during my investigation.

21. I contacted the service department to verify Dodson's transactions and learned that three out of four of her customers had received a service call. I have attached as Exhibit F true and correct copies of Dodson's associate summaries (associate #2378) that I reviewed during my investigation.

22. Fitzwater and I met with Dodson to ask her about this fourth transaction. Dodson explained that she recalled the transaction and that this particular customer had obtained a service coupon from her daughter, who had received a service call, and that this customer was purchasing the appliance as a gift for her daughter. Dodson wrote a statement to this effect, a true and correct copy of which is attached to this Declaration as Exhibit G.

23. I believed Dodson's explanation and therefore concluded that Dodson did not misuse the service coupon and that she should not be terminated. Dodson is an African-American.

24. I pulled all of the sales associates transactions in the electronics department. I recall that both black and white associates were working in this department

at the time. I recall that this investigation showed that none of the electronics associates had even used the service coupon.

25. Before November 2004, I did not know that sales associates in the appliance department were misusing the service coupon.

26. I have no reason to believe that prior to the November 2004, that Reese, Mason, Lawrie or any member of management was aware that anyone in the appliance department was misusing Sears' service coupon.

27. Prior to November 2004, I was not aware there were service coupons being kept in the register that were not being collected and destroy or turned into the cash office at the end of the day.

28. I have never misused Sears' service coupon or any other coupon to give a customer an unauthorized discount. I have likewise never received an authorized discount from a sales associate when I have purchased an item from Sears.

29. I have never instructed Smith, or any other sales associate, to use the service coupon, or any other coupon, to give a customer an unauthorized discount. I never heard anyone in management instruct Smith, or any other sales associate, to use the service coupon, or any other coupon, to give a customer an unauthorized discount.

30. Sears also has a policy prohibiting its employees from obtaining and using information about its customers, associates and suppliers for any non-business related reason. Any violation of this policy is likewise grounds for immediate termination. This policy is clearly stated in Sears' Code of Conduct, which was distributed to Sears associates. (See Exhibit A).

31. On or about April 26, 2006, I learned from my review of the documents produced by Smith during the litigation of this lawsuit that on or about November 5, 2004, Smith accessed and took information off of Sears' computers pertaining to the sales transactions of other associates, information relating to managers' purchases from Sears, and other documents belonging to Sears for purely non-business reasons. Some of these documents contain confidential and proprietary information including credit card information. True and correct copies of these documents are attached to this Declaration as Exhibit H. Had Sears been aware of this misconduct at the time it occurred, it would have immediately terminated her employment.

32. I have never observed Reese treat African-American employees less favorably than white employees.

33. I recall that Kenny Reese was the one who promoted Denise Smith from a part-time position selling vacuums to a full-time sales position in the appliance department just a few months before her termination. A full-time sales position in the appliance department was considered to be the top sales associate position because these associates have the opportunity to earn more money.

34. I recall that Reese also promoted several other African-Americans when he worked at the Auburn store. I specifically recall that in addition to Smith, Reese promoted Stacy Dumas from Softlines Lead to Automotive Store Manager and Tammy Calhoun from Merchandising Associate to Merchandising Lead.

35. Kenny Reese did not always speak to me when he saw me.

36. I am white.

37. I heard Kenny Reese tell both black and white employees to stop watching television in the electronics department and to return to work.

38. When I worked at the Auburn store, Kenny Reese asked me to make copies of documents for him.

39. Kenny Reese went to lunch with Byron Mason several times per week. Mason is African-American.

40. I never observed that John Lawrie treated African-American employees less favorably than white employees.

41. When Lawrie worked at the Hardlines Manager, I observed that he asked both white employees and black employees to set out the appliances and accessories on the floor and to clear the floor of empty boxes. These duties were apart of an appliance associate's job.

42. I did not treat African-Americans employees any less favorably than white employees. I frequently told all sales associates, regardless of their race, not to eat on the sales floor. I did not single anyone out in this respect because of their race.

43. When the store was being remodeled, I recall that both black and white associates worked on the remodel team. Any associates who wanted to work on the remodel team were allowed to do so. I recall that Smith did not want to work on the remodel team.

44. At first, Sears was paying the all the associates on the remodel team their benefit rate. The benefit rate is amount of sales divided by number of hours worked. However, Sears changed this rate to the training rate (which is a lesser rate) for all the associates on the remodel team because it was too expensive and because associates were

only supposed to be paid the benefit rate for vacation time or other paid time off. This reduction was applied to both white associates and African-American associates.

45. Both Reese and I have been involved in the terminations of several white sales associates for unauthorized discounts and other integrity issues. I specifically recall that we both participated in the decision to terminate Michael Cunningham (white) for offering delivery for less than the actual cost and Chris Pritchett (white) and Brent Haney (white) for re-ringing customers' tickets to make their sales appear better than they actually were. I have attached as Exhibit I a true and correct copy of a statement I wrote on April 22, 2005, concerning Cunningham's termination.

46. I have never unlawfully considered an employee's race in making an employment decision.

47. Since I have been employed with Sears, it has always taken policy violations concerning dishonesty, fraud or other integrity issues, very seriously.

48. I have never retained a Sears employee, who to my knowledge, has given a customer an unauthorized discount .

49. I am not aware of any Sears manager who has retained an employee whom management knew had given a customer an unauthorized discount.

50. I have never made any derogatory remarks about African-Americans or heard anyone in management ever make any such remarks while I was the LP Manager.

51. I never told Smith that she was being terminated because of her race or heard anyone in management ever make any such remarks.

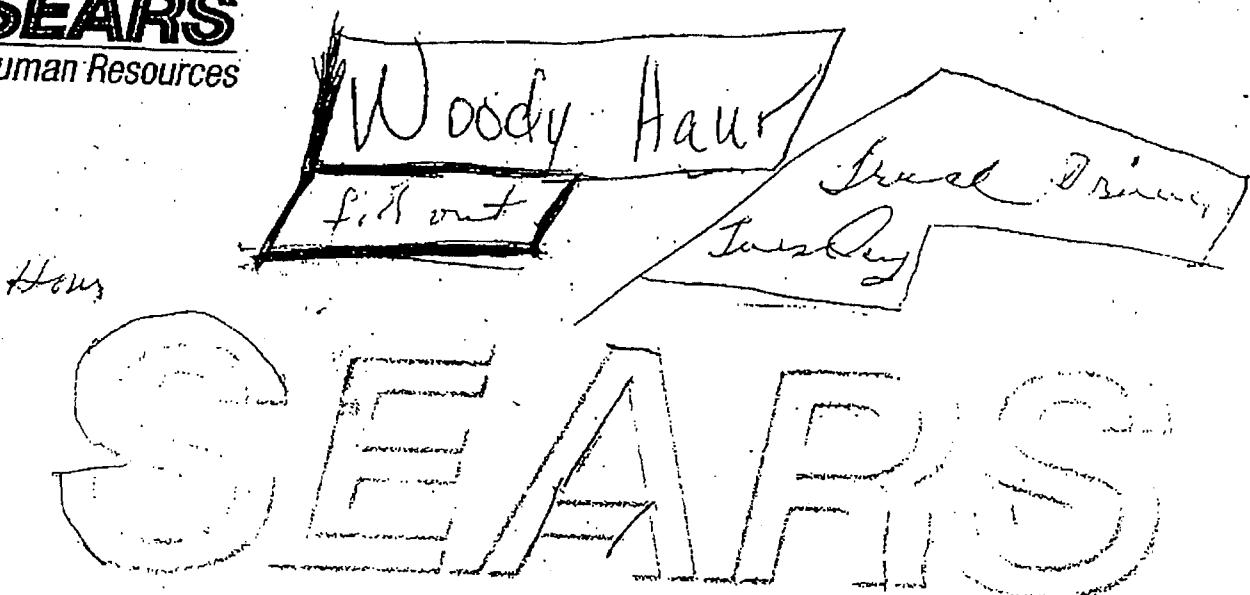
52. I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

6-14-2006  
DATE

  
TERRY GANDY

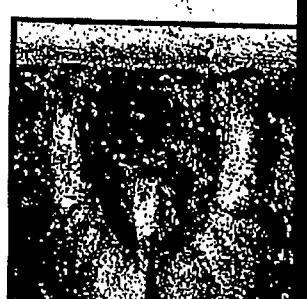
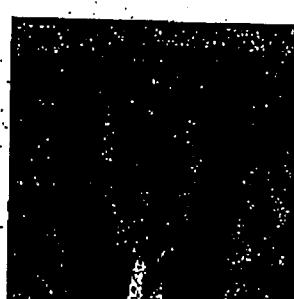
**SEARS**  
Human Resources

Full-Line and Automotive Associates

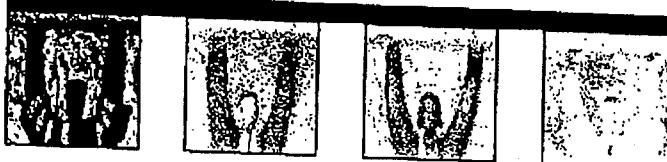


## **ASSOCIATE HANDBOOK**

Code of Conduct, Company Policies,  
Benefits, Safety & Loss Prevention



# Code of Conduct



## Business Conduct

### What Does Proper Business Conduct Mean?

We are all responsible for treating each other, and our customers, as we ourselves wish to be treated. As part of the Sears family, we must commit to acting fairly and honestly at all times. These guidelines capture the spirit of that commitment.

### Selling Practices

Always do your work honestly and truthfully. Never misrepresent Sears products or services.

### Company Property and Records

Safeguard Sears merchandise, cash and Company records. Use Sears property, including information about our customers, suppliers, and Associates solely for business purposes. Maintain accurate documents, including the recording of time and transactions. The Company prohibits the use of any electronic recording device during conversations or meetings without the knowledge and consent of all parties to the conversation or meeting.

### Safety and Environment

Help Sears be a safe place to work and shop. Help protect the environment by conserving resources. Take any issues of concern to your supervisor or manager.

### Customer Focus and Respect

Treat Sears customers fairly and describe Sears products and services truthfully and accurately.

*We deal fairly with everyone with whom we do business, whether a customer or Associate of, investor in, or*

*supplier to Sears. To maintain the trust and respect of our customers, shareholders, Associates, suppliers, communities and business partners, we conduct business in an ethical manner each day. We are committed to vigorous and lawful competition based strictly on the merits of our products and services. Each Associate is expected to be honest with customers. You may not mislead customers through unfair methods of competition, deceptive acts or practices, false advertising claims, or misrepresentations regarding competitors.*

### Conflicts of Interest

Act in the best interest of Sears and Sears customers. Avoid working for competitors unless approved by your manager. Do not accept gifts with a value in excess of \$25 from companies that do business with Sears unless approved by your manager.

### Political Activities

You may participate in personal political activity, but your involvement must be on an individual basis, on your own time, and at your own expense. You must make it clear that your views and actions are your own and not those of Sears.

### Making the Right Call

The right choice isn't always the easy choice. Seek advice from your Unit Manager or call Associate Services at 1-888-88sears for clarification.

# Code of Conduct



## Guidance and Straight Answers

If you ever have an "ethical" concern, (i.e. theft, fraud, etc.) first consider approaching your Department Manager, Store Manager or Human Resources Representative. If you are not comfortable approaching in-store representatives with your concern, then our Office of Ethics and Business Practices can assist. Simply call 1-800-827-7478.

Ethics Communication Specialists are on duty 24 hours a day, 7 days a week. All calls are confidential. You do not have to give your name. The office will assign you a confidential case number for follow-up.

## Personal Conduct

*Conduct yourself in a professional manner. Never discriminate against any Associate or customer. Acts of violence, dishonesty, possession of a weapon, harassment, and use of alcohol or illegal drugs on Company premises will not be tolerated.*

### Code of Conduct

For many years now, Sears has maintained a strong and clear policy prohibiting all forms of sexual harassment in the workplace. It is the policy of the Company that all Associates, of both sexes, be allowed to work in an environment free from sexual harassment and/or sex discrimination. This policy also applies to our conduct when dealing with customers.

Sexual harassment can take many forms, but simply defined, is any unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, other visual, verbal, or physical conduct of a sexual nature and other unwelcome conduct directed at an individual because of his or her gender or sexual orientation when a person's employment with Sears depends on submission to the conduct, submission to or rejection of the conduct affects employment decisions concerning the person; or such conduct unreasonably interferes with a person's work

performance or creates an intimidating, hostile or offensive work environment.

### Forms of Sexual Harassment

Sexually harassing conduct includes, but is not limited to:

- repeated or unwelcome sexual flirtations, advances or propositions
- continued or repeated verbal abuse of a sexual nature
- graphic verbal commentaries about a person's body
- sexually degrading words used to describe an individual
- the display in the workplace of sexually suggestive objects or pictures
- other unwelcome conduct directed at an individual because of his or her gender
- Sexual harassment also encompasses all forms of retaliation against an Associate who has complained of sexually harassing conduct.

Any Associate who believes that he or she is being harassed should take the following steps:

- Explain the situation to your immediate supervisor.
- If you are not satisfied with your supervisor's response, or if you are uncomfortable speaking with your supervisor, immediately contact the supervisor's manager or your human resources representative.
- If you still feel that sufficient attention has not been given to your complaint, or if you are uncomfortable talking with someone in your unit, contact 1-888-88sears.

The Company will investigate all complaints of sexual harassment and take appropriate action. Any violation of this policy will result in disciplinary action up to and including termination.

# Code of Conduct



## Workplace Violence

It is the policy of the Company to provide an environment in which all Associates are allowed to work – and all customers are allowed to shop – free from workplace violence. The term "workplace violence" covers many different actions which affect our fellow Associates, our customers, the workplace and Sears. While we may not always agree with our fellow Associates, customers, or decisions made by Sears, we are all expected to act professionally no matter what our position or level of authority. We must treat everyone with dignity and respect, and adhere to the fundamental values and principles outlined in our Code of Conduct. By dealing honestly, responsibly and fairly with everyone with whom we do business, we will do our part in creating a safe working and shopping environment.

**Workplace violence is defined as:**  
Any direct or implied threat, intentional act or other conduct that would arouse fear, hostility, intimidation or the apprehension of harm in another person for his/her safety, the safety of his/her family, friends, co-workers, employer or property. The policy applies to threats or other conduct that:

- occurs on Company premises
- occurs during the course of Company business
- occurs through the use of Company property
- involves other Associates, and/or
- affects Sears business interests

The policy also includes the no weapons policy.

### Examples of Workplace Violence

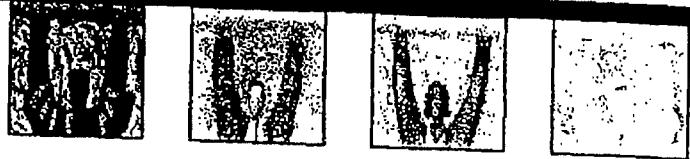
Acts of violence, including, but not limited to the following, will not be tolerated:

- Bringing or using weapons of any kind at any time while on Company property, including parking lots, or while engaged in conducting Company business.
- Starting or participating in a physical or verbal fight. Punching, slapping, abusive use of profanity or any type of assault on another person.
- Participating in dangerous horseplay of any kind.
- Threatening or intimidating another person in any manner.

An Associate who has a concern regarding safety in the workplace is encouraged to immediately report such concern to his/her Unit Manager, or directly to the Human Resources Department. The Company will investigate all complaints and take all appropriate action necessary, including criminal prosecution if applicable.

Any Associate who is found to have violated this policy is subject to disciplinary action up to and including termination.

# Code of Conduct



## Workplace Conduct

*Most of the time, good judgement will tell Associates the right thing to do. But just for your information, the following are examples of business and personal conduct that can lead to termination of employment.*

### Business Conduct

If you want to notify Sears of inappropriate business conduct, but are uncomfortable speaking with someone in your unit, contact the Office of Ethics and Business Conduct at 1-800-8ASSIST.

Examples of unacceptable business conduct include, but are not limited to:

- Theft or dishonesty
- Soliciting or accepting gifts (money or merchandise) in connection with a Company transaction of any kind
- Conducting other than Company business on Company property; or while engaged in Company business at a customer's home or business
- Committing, or attempting to commit, deliberate damage to Company property; advocating or taking part in unlawful seizure of, or trespassing on, Company property
- Violating Associate discount policy; giving unauthorized mark downs to customers/Associates
- Misusing Company resources, including but not limited to the misuse, personal, or non-work-related use, alteration, theft, destruction, or unauthorized disclosure to a third party of computer resources, trade secrets or other confidential information
- Removing merchandise or Sears property from a unit without evidence of purchase
- Using someone else's Associate number when ringing sales
- Handling your own transactions or transactions for members of your family, including sales, refunds, cashing checks, and the like
- Failing to follow proper procedures for handling sales and cash
- Failure to follow Automotive wheel torque policy (Automotive)
- Working on your personal vehicle (Automotive)

### Personal Conduct

If you want to notify Sears of inappropriate personal conduct but feel uncomfortable speaking with someone in your unit, contact a professional HR Consultant at Associate Services by calling 1-888-88sears.

Examples of unacceptable conduct which can lead to termination include, but are not limited to:

- Unsatisfactory performance of your job
- Willful misconduct, including insubordination (disregarding legitimate directions from member of management)
- Disorderly conduct, including fighting with or assaulting other Associates or customers; reporting for work under the influence of liquor, drugs, or other stimulants, or consuming such substances while on Company premises
- Obtaining employment on the basis of false or misleading information
- Falsifying attendance by clocking in for another Associate, or permitting anyone else to clock in for you
- Excessive absences or tardiness, including absence from your job for two consecutive days without notifying your unit
- Failing to conduct yourself in a reasonable and businesslike manner with customers, fellow Associates, supervisors and management
- Harassing, insulting, or otherwise mistreating any fellow Associate or customer on the basis of that person's race/color, religion, sex, sexual preference/orientation, age, national origin, ethnicity, ancestry, disability or marital or veteran status
- Failure or refusal to participate in a Company investigation, or any attempt to interfere with or impede a Company investigation
- Suspension or revocation of driver's license (Automotive)

EXHIBIT

B

# \$65 off your Frigidaire® appliances

## 10% off a Protection Agreement

Plus YOUR CHOICE of 0% Financing\*  
or Free Delivery with mail-in rebate†

- 1 Bring in this coupon & your repair estimate to purchase a replacement appliance within 2 weeks**
- 2 We'll deduct \$65 and give you YOUR CHOICE of 0% Financing or Free Delivery with mail-in rebate**
- 3 Plus we'll take 10% off a Protection Agreement**

Thanks for choosing Sears for your repair estimate. Choose us for a replacement appliance too, and save with this triple offer.

Offer valid when declined service receipt is presented with coupon on purchase of regular or sale priced home appliance of \$399 or more. Not valid on computers, Exceptional Values, sears.com® Sears auctions, on eBay® outlet store or Party and Repair Center purchases, catalog orders, Mail-in (Repair, Replac., White-Easy) and product installation. Not applicable to prior purchases. May not be used with other coupons or offers. One coupon per purchase. Void if copied or transferred and where prohibited by law. Any other use constitutes fraud. Cash value 1/20 cent. In the event of a return, coupon savings may be deducted from your refund. Coupon expires 2 weeks from date of declined service receipt.

\*0% financing for 6 months when you use qualifying Sears card, with fixed variable APR up to 25.40% as of 7/01/03. Rates may vary. Minimum monthly FINANCE CHARGE of up to \$1. If any is due. Regular credit terms apply after the 0% period issued by Sears National Bank.

†Free standard local delivery. Outside local delivery area, customer pays an additional charge. Rebate values, local areas, and additional charges vary. See your Sears store for details. Excludes KitchenAid built-in refrigerators. ©2003 Sears Brands, LLC.

Sales Associate: Please verify declined service receipt is dated within 2 weeks from today. Scan the merchandise reduction barcode immediately following entering the selected item in POS. Scan the PA reduction immediately following entering the selected PA in POS. If unable to scan, manually enter the coupon number. Please collect the coupon and destroy.

Satisfaction Guaranteed  
or Your Money Back™

**SEARS**  
Good life. Great price.

ENCLOSURE



\$65

de descuento al reemplazar  
tu electrodoméstico**Ahorra 10% en un Contrato de Protección****Además, TU ELECCIÓN de 0% de Financiamiento  
o entrega gratis con reembolso por correo**

**Gracias** por seleccionar a Sears para tu estimado de reparación. Esperamos que también elijas a Sears para reemplazar tu electrodoméstico y ahorrar con esta triple oferta.

Este es válido cuando se presenta el recibo del servicio rechazado con el cupón, en la compra de un electrodoméstico a precio regular o en oferta de \$299 o más. No es válido en trituradoras de basura, Ofertas de Valor Excepcional, sears.com, ventas de Sears en eBay,\* compras en tiendas "outlet" o Centro de Reparaciones y Partes de Sears, ordenes por catálogo, Maytag® Garantía Reparación, Wide-by-Side y instalación de producto. No aplica a compras anteriores. No se puede usar con otras ofertas o promociones. Un cupón por compra. Note si se reproduce o transfiere y donde está prohibido por la ley. Cualquier uso que constituye fraude, será en efectivo 1/20 de centavo. En caso de devolución, los descuentos del cupón pueden ser deducidos de su membresía. El cupón se vence 2 semanas después de la fecha indicada en su recibo del servicio rechazado.

\*0% de financiamiento por 6 meses a través las tarjetas de Sears que cumplen con un interés (APR) fijo variable de hasta 26.40% a partir de 7/07/03. Las tasas de interés pueden variar. CARGO POR FINANCIAMIENTO mensual mínimo hasta de \$1, por cualquier cargo pendiente. Términos legales de crédito aplican después del período de 0%. Expedido por Sears National Bank.

<sup>1</sup>Entrega local estándar gratis. Fuera del área local de entrega, el cliente paga un cargo adicional. Ofertas de rebajas, áreas locales y términos adicionales varían. Más detalles en la tarjeta. Excluye refrigeradoras empotradas. Requerido.



R5770200197210

R577020019546500

**■ Trae este cupón y tu estimado de reparación para comprar y reemplazar tu electrodoméstico dentro de 2 semanas**

**■ Te descontaremos \$65 y TU ELECCIÓN de 0% de financiamiento o entrega gratis con reembolso por correo**

**■ Además, te daremos 10% de descuento en un Contrato de Protección**

Reorder #3310 8/03

Satisfacción garantizada  
o la devolución de tu dinero<sup>SM</sup>

# SEARS

Todo para tí®

NPOS713

Associate Summary  
Assoc #: 190

11/02/04 17:34:17

Type: Disc: N Date: 10/01/04 to 10/01/04  
 Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
025950260053	10/01/04	COUNT NO 544	50.00	.00	CSH	PMT
025950260056	10/01/04	TILL NO 544	179.81	-65.00	CSH	SL
025951220028	10/01/04	JAMES	1047.58	.00	SRS	SL
025951220029	10/01/04		.00	.00		NSL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

807-266-5412

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*

SALE  
 360Commerce POS C 44-047  
 TIMESTAMP: 10-01-04 15:52:26  
 MERCHANDISE DISPOSITION:  
 PICKED UP BY CUSTOMER  
 DELIV. TYPE: NEW DOS ORDER  
 DELIVER TO: STORE 02595  
 42 33616 WHTR.PMG WOS 249.991  
 ORDERED  
 COUPON NBR: 00082900441  
 CPN MULTI ITEM'S 65.001-  
 ASSOCIATE DISCOUNT INFO:  
 MIPCUNUHSAMHIIIIII  
 ASSOCIATE DISCOUNT ON  
 EXPECTED DATE: 10/06/04  
 PECTED DATE: 10/08/04  
 NAME: CLINT FEAL  
 ADDRESS: 600 WEBSTER RD. LOT. 308  
 CITY/STATE: AUBURN, AL  
 ZIP CODE: 36830  
 PHONE: 334-921-8650  
 DELIV INSTR: >> BYPASSED <<  
 ASSOCIATE 018C 18.50-  
 TAX 00.000 13.32-  
 CASH 200.00  
 CASH TOTAL 179.81  
 ASSOC #: 190  
 Future COUPON: 00082900  
 TIMESTAMP: 10-01-04 15:58:48  
 STORE REG TRAN PG ASSOC  
 TRAN. INFO: [02595 026 0056] 01 190  
 \*\*\*\*\* START OF TRANSACTION \*\*\*\*\*

EXHIBIT

C

POS713

Associate Summary  
Assoc #: 190

11/02/04 17:52:56

Type: Disc: N Date: 10/30/04 to 10/30/04  
 Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
025950260658	10/30/04		.00	.00	VD	
025950260659	10/30/04	PERSON <i>16120</i>	913.83	-189.00	CHK	SL
025950260661	10/30/04		.00	.00	NSL	
025950220065	10/30/04	JAMES	1027.05	-105.00	SRS	SL
025950260663	10/30/04	MILNER	491.39	-20.00	OTH	SL
025950260666	10/30/04	BEARD JR	721.26	-83.90	OTH	SL
025950260667	10/30/04		.00	.00	VD	
025950260668	10/30/04	HARRISON	721.26	-83.90	OTH	SL
025951220489	10/30/04	ROWELL	779.02	-102.00	SMC	SL
025951220490	10/30/04		9.71	-1.00	SMC	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

500Commerce POS C 01/22/05  
 NEW PURCHASE DATE: 10/30/04 20:05  
 DELIVERED BY STORE:  
 DELV. TIME:  
 DELV. APT:  
 DELIVER TO:  
 1 26 33792 WP WASHER, SAL 399.99T  
 COUPON NR.: 5882198 ORDERED  
 COUPON NR.: 5872786827 40.00T-  
 COUPON NR.: 5872786827 20.00T-  
 COUPON NR.: 5872786827 165.00T-  
 1 26 43792 WP DRYER,E SAL 169.99S  
 COUPON NR.: 5882198 ORDERED  
 COUPON NR.: 5872786827 37.00T-  
 COUPON NR.: 5872786827 20.00T-  
 COUPON NR.: 5872786827 5.00T-  
 26 43926 DRYER KIT, MDS 89.99S  
 COUPON NR.: 5882198 ORDERED  
 COUPON NR.: 5882198 2.00T-  
 B.T.S. DATE: 10/30/04  
 DELIV. DATE: 11/04/04  
 NAME: MARGARET STEINER DELIVERY FEE 60.00T  
 ADDRESS: 310 GENEVA AVE APT 27  
 CITY/STATE: OPELIKA, AL  
 ZIP CODE: 32801  
 PHONE: 334-897-5406 334-421-8515  
 DELIVERY ADDRESS SAME AS CUSTOMER  
 DELIV. INSTR: > BYPASSED <  
 REENTRY REJOURNAL  
 START REENTRY HERE  
 1 26 33792 WP WASHER, SAL 399.99T

POS713

Associate Summary  
Assoc #: 190

11/02/04 17:39:56

Type: Disc: N Date: 10/10/04 to 10/10/04  
 Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
025950260229	10/10/04		.00	.00	OPN	
025950260231	10/10/04	BOND	503.25	.00	SMC	SL
025951220180	10/10/04		.00	.00	OPN	
025951220181	10/10/04	ROSEN	615.59	.00	OTH	SL
025950260233	10/10/04		10.79	.00	SRS	SL
025950260234	10/10/04	MEALL	280.79	.00	DSC	SL
025950260245	10/10/04		.00	.00	NSL	
025950260246	10/10/04	DUNSMORE	669.59	.00	SRS	SL
025950260247	10/10/04	DUNSMORE <i>base</i>	642.59	-65.00	SRS	SL
025950260248	10/10/04	DUNSMORE	1279			

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

Commerce POS C 44 020  
 REQUEST: 10-10-04 18:00:24  
 SALESHOUSE ASPIRATION:  
 DELIVERED BY STORE  
 DELV. TYPE: AIR DUS ORDER  
 TRANSFER STORE  
 NUMBER: 00005  
 TYPE:  
 NAME: BRYAN - B  
 ADDRESS: 662 W MAIN ST  
 CITY/STATE: BRYAN, AL  
 ZIP CODE: 36011  
 PHONE: (334)793-3111  
 1 22 96223 00005  
 DELIVER TO: 00005  
 1 22 96223 KM FS SC R SAL 649.99T  
 COUPON NR: 5870200195  
 CPN MULTI ITEM\$ 65.00T-  
 DELV. TIME: NORMAL  
 B.T. & DATE: 10/25/04  
 DELIV. DATE: 10/25/04  
 LINKED SALESCHECK: 025950260246  
 DELIVERY FEE: 10.00T  
 NAME: ERIC BLUMMORE  
 ADDRESS: 303 INLET RD  
 CITY/STATE: EUFALA, AL  
 ZIP CODE: 36027  
 PHONE: 334-887-7718 334-885-5353  
 DELIVERY ADDRESS SAME AS CUSTOMER  
 DELIV. INSTR: >> BYPASSED <<  
 REENTRY REJOURNAL  
 START REENTRY HERE  
 1 22 96223 KM FS SC R SAL 649.99T  
 COUPON NR: 5870200195  
 CPN MULTI ITEM\$ 65.00T-  
 DELIVERY FEE: 10.00T  
 ASCI: # 116000 10.00T  
 OUT OF AREA TAX 00.00X 47.60  
 CARD TYPE: BEARS ACCOUNT  
 ACCT #: 025950260246  
 AUTH CODE: 036859  
 DELAYED DATE: 10/31/05

SEARS

SEARS

SEARS

S

NPOS713

Associate Summary  
Assoc #: 190

11/02/04 17:52:50

Type: Disc: N Date: 10/30/04 to 10/30/04  
Rcv: Acct: Ch: Time: to  
Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total	Reduction	Pay	Trn
				Amount	Amount	Typ	Typ
-	025950260650	10/30/04	ROBERTS	356.39	-70.00	OTH	SL
-	025950260651	10/30/04	DOWDELL	-179.27	24.00	CSH	SL
-	025950260653	10/30/04		.00	.00		VD
-	025950260654	10/30/04		.00	.00		NSL
-	025951220475	10/30/04	Vilabrera <i>Paym</i> <i>PAID for SVC</i> <i>on 10-31-04</i>	646.86	-148.65	MLT	SL
-	025951220476	10/30/04		130.00	.00	CHK	PMT
-	025951220477	10/30/04		50.00	.00	CHK	PMT
-	025951220478	10/30/04		40.00	.00	CHK	PMT
-	025950260656	10/30/04	MOTES	293.75	-58.00	MLT	SL
-	025950260657	10/30/04	STEINER	984.03	-124.00	CSH	SL

**Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel**

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*  
**SALE**  
 360Commerce POC C 44,020  
 TIMESTAMP: 10-30-04-10:47:03  
 MERCHANDISE DISPOSITION:  
     PICKED UP BY CUSTOMER  
 DELV. TYPE:  
     HFM - FROM STORE STOCK  
 MERCHANDISE STAGING LOCATION:  
     FILL FROM STOCK  
 STORE PICKUP  
 2046 74962 DTY:1  
     KM 19 CU FT SALE 636.491  
 COUPON NBR: 5883196  
 CPN MNU 11 ITEM/10X 63.651  
 COUPON NBR: [REDACTED] 63.651  
 CPN MNU 1 [REDACTED] 65.001  
 COUPON NBR: 5872786927  
 CPN MULTI ITEM/4 20.901  
 1 70 46302292 3Y HOMEMPA MDS 119.995  
 EXPECTED DATE: 10/30/04  
 NAME: Conrad Villabreca  
 ADDRESS: 2163 HERNDON ST.  
 CITY/STATE: AUBURN, AL  
 ZIP CODE: 36830  
 PHONE: 334-501-7560 334-663-1916  
 SPECIAL INSTRUCTIONS:  
     - BYPASSED -  
     - REENTRY REJOURNAL -  
     - START REENTRY HERE -  
 2046 74962 DTY:1  
     KM 19 CU FT SALE 636.491  
 COUPON NBR: 5883196  
 CPN MNU 11 ITEM/10X 63.651  
 COUPON NBR: 5872786927 65.001  
 COUPON NBR: 5872786927  
 CPN MNU 1 ITEM/5 20.901  
 1 70 41 3Y HOMEMPA MDS 119.995  
 SPCL AMOUNT: .00  
 CHECK AMOUNT: 407.66  
 MICR READ: SUCCESSFUL  
 CHECK TYPE: PERSONAL  
 CHECK NUMBER: 000424  
 PHONE: 3 1 501 7580  
 ID: AL 7221421/0  
 CHECK NUMBER: 000424

IPOS713

Associate Summary  
Assoc #: 190

11/02/04 17:40:28

Type: Disc: N Date: 10/11/04 to 10/11/04  
 Acct: Ch: Time: to  
 .ct:

Type an X in the selection field. Then press enter.

Ref Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
- 025950570204	10/11/04	MCALLISTER	-16.20	.00	SMC	SL
- 025951220195	10/11/04	KING 7-6-04 <i>for regn 2894.68 (crys)</i>	2894.68	65.00	OTH	SL
- 025950260263	10/11/04	DUNSMORE	653.39	-65.00	SRS	SL
- 025951220202	10/11/04	MERRITT	520.55	-48.00	SRS	SL
- 025951220203	10/11/04	REESE	750.59	-25.00	SMC	SL
- 025951220204	10/11/04		4.31	.00	CSH	SL
- 025950260267	10/11/04		10.00	.00	CSH	PMT
- 025950570231	10/11/04		-215.98	.00	CSH	SL
- 025950570232	10/11/04	FROEDE	215.98	-10.00	CSH	SL
- 025951220205	10/11/04		10.79	.00	OTH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*

SALE

360Commerce POS C 44.020  
 TIMESTAMP: 10-11-04 14:12:37  
 MERCHANDISE DISPOSITION:  
 DELIVERED BY STORE  
 DELV. TYPE: NEW POS ORDER  
 DELV. ZIP: 36001  
 DELIVER TO: CUSTOMER  
 2219459 DISHWASHER SAW 379.99T  
 ORDERED  
 COMPETITOR: HOME DEPOT  
 2223839 MT WALLEVE DWR 1459.00T  
 ORDERED  
 REASON: PRICE MATCHING  
 PRICE MATCH GUARANTEE: 6.10T  
 COMPETITOR: LOYES  
 \$1 2222729 COOKTOP 30 DWR 848.00T  
 ORDERED  
 REASON: PRICE MATCHING  
 PRICE MATCH GUARANTEE: 5.45T  
 CPN 5870200197:  
 MERCHANDISE DOES NOT QUALIFY FOR  
 COUPON REDUCTION  
 COUPON NR: 5870200197  
 CPN MULTI ITEM 65.00T  
 DELV. TIME: NORMAL  
 B.T.S. DATE: 10-11-04  
 DELIV. DATE: 10-12-04  
 DELIVERY FEE: 70.00T  
 NAME: LAURA E. KING  
 ADDRESS: 1216-B SO. SHORE DRIVE  
 CITY/STATE: SURF CITY, NC  
 ZIP CODE: 28445  
 PHONE: 910-328-4021 910-617-1380  
 NAME: LAURA E. KING  
 ADDRESS: 1216-B SO. SHORE DRIVE  
 CITY/STATE: SURF CITY, NC  
 ZIP CODE: 28445  
 PHONE: 910-328-4021 910-617-1380  
 DIFFERENT DELV. ADDR:  
 NAME: LAURA E. KING  
 ADDRESS:

SEARS

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SEARS

NPOS713

Associate Summary  
Assoc #: 190

11/02/04 17:53:59

Type: Disc: N Date: 10/31/04 to 10/31/04  
 Req: Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
- 025950260680	10/31/04		.00	.00	OPN	
- 025950260681	10/31/04	ROWE	343.44	-20.00	AMX	SL
- 025950260682	10/31/04	WINTERS	22.65	-10.00	SMC	SL
- 025950260683	10/31/04	MILNER	2274.46	-50.00	OTH	SL
- 025950260684	10/31/04	MILNER	291.59	-40.00	OTH	SL
- 025950260685	10/31/04	BRADBERRY	1002.76	-30.00	SRS	SL
- 025950260686	10/31/04	BRADBERRY <del>2002-10-31</del>	314.98	-85.00	SRS	SL
- 025950260688	10/31/04		14.07	-16.50	SRS	SL
- 025950260691	10/31/04		50.00	.00	CHK	FMT

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*

SALE

SOCommerce POS C 44.020

TIMESTAMP: 10-31-04 15:40:33

MERCHANDISE DISCOUNT

PICKED UP BY INSTALLER

DELV. TYPE: NEW DOS ORDER

DELIVER TO: STORE 02595

1 22 80592 WHITE, ON SAL 299.99T

1 19 22500187 RPL DT NC MDS 99.99S

COUPON NBR: 5872786929

CPN MULTI ITEM/S 65.00T-

1 19 22500187 RPL DT NC MDS 99.99S

COUPON NBR: 5872786929

CPN MULTI ITEM/S 20.00T-

1 19 22500187 RPL DT NC MDS 99.99S

EXPECTED DATE: 11/10/04

EXPECTED DATE: 11/10/04

NAME: GEORGE BRADBERRY

ADDRESS: 808 SHARON ST

CITY/STATE: ATLANTA, AL

ZIP CODE: 30330

PHONE: 334-821-3072 334-728-0707

DESTINATION ADDRESS SAME AS CUSTOMER

DELIV INSTR: DISHWASHER AND RANGE IS DUE IN IN

11-12-04

REENTER RE JOURNAL

START REENTRY HERE

1 22 80592 WHITE, ON SAL 299.99T

1 19 22500187 RPL DT NC MDS 99.99S

COUPON NBR: 5870200195

CPN MULTI ITEM/S 65.00T-

COUPON NBR: 5872786929

CPN MULTI ITEM/S 20.00T-

1 10 22500187 RPL DT NC MDS 99.99S

OUT OF AREA TAX 08.000% 17.20

NON-TAXABLE - INSTALLED .00

ID: AL18D

CARD TYPE: SEARS ACCOUNT

ACCT #: 00000148429347

AUTH CODE: 015517

DEF AVER RATE: 05/31/05

SEARS

SEARS

SEARS

SEARS

NP05713

Associate Summary  
Assoc #: 190

11/02/04 17:40:28

Type: Disc: N Date: 10/11/04 to 10/11/04  
 Reg: Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
- 025950570204	10/11/04	MCALLISTER	-16.20	.00	SMC	SL
- 025951220195	10/11/04	KING 7-6-04 <i>per rec'd - Rec'd (copy)</i>	2894.88	-65.00	OTH	SL
- 025950260263	10/11/04	DUNSMORE	653.39	-65.00	SRS	SL
- 025951220202	10/11/04	MERRETT	520.55	-48.00	SRS	SL
- 025951220203	10/11/04	REESE	750.59	-25.00	SMC	SL
- 025951220204	10/11/04		4.31	.00	CSH	SL
- 025950260267	10/11/04		10.00	.00	CSH	PMT
- 025950570231	10/11/04		-215.98	.00	CSH	SL
- 025950570232	10/11/04	FROEDE	215.98	-10.00	CSH	SL
- 025951220205	10/11/04		10.70	.00	OTH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*

SALE

360Commerce POS C 44.020

TIMESTAMP: 10-11-04 14:12:37

MERCHANDISE DISPOSITION:

DELIVERED BY STORE

DELV. TYPE: NEW POS ORDER

DELV. ZIP: 36001

DELIVER TO: CUSTOMER

22 19459 DISHWASHER SL 379.99T

COMPETITOR: HOME DEPOT ORDERED

22 23839 NT WALLOWE OVR 1459.00T

ORDERED

REASON: PRICE MATCHING

PRICE MATCH GUARANTEE 6.10T-

COMPETITOR: LOBES

\$1 22 22729 COOKTOP 30 OVR 848.00T

ORDERED

REASON: PRICE MATCHING

PRICE MATCH GUARANTEE 5.45T-

CPN 5870200197

MERCHANDISE DOES NOT QUALIFY FOR

COUPON REDUCTION

UPON NBR: 5870200197

CPN MULTI ITEM 65.00T-

DELIV. TIME: NORMAL

B.T.S. DATE: 10-11-04

DELIV. DATE: 10-11-04

NAME: LAURA E. KING DELIVERY FEE 70.00T

ADDRESS: 1216-B SO. SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

NAME: LAURA E. KING

ADDRESS: 1216-B SO. SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

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CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

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DIFFERENT DELV. ADDR:

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CITY/STATE: SURF CITY, NC

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DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

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CITY/STATE: SURF CITY, NC

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DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

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PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

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CITY/STATE: SURF CITY, NC

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NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

CITY/STATE: SURF CITY, NC

ZIP CODE: 28445

PHONE: 910-328-4021 910-617-1380

DIFFERENT DELV. ADDR:

NAME: LAURA E. KING

ADDRESS: 1918-B 90 SHORE DRIVE

C

POS713

Associate Summary  
Assoc #: 190

11/02/04 17:53:59

Type: Disc: N Date: 10/31/04 to 10/31/04  
 F Acct: Ch: Time: to  
 St:

Type an X in the selection field. Then press enter.

sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
025950260680	10/31/04		.00	.00	OPN	
025950260681	10/31/04	ROWE	343.44	-20.00	AMX	SL
025950260682	10/31/04	WINTERS	22.65	-10.00	SMC	SL
025950260683	10/31/04	MILNER	2274.46	-50.00	OTH	SL
025950260684	10/31/04	MILNER	291.59	-40.00	OTH	SL
025950260685	10/31/04	BRADBERRY	1002.76	-30.00	SRS	SL
025950260686	10/31/04	BRADBERRY <del>2002-10-31</del>	314.98	<del>-85.00</del>	SRS	SL
025950260688	10/31/04		14.07	-16.50	SRS	SL
025950260691	10/31/04		50.00	.00	CHK	PMT

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*

SEARS  
 60Commerce POS C 44.020  
 INNESTAMP: 10-31-04 15:40:33  
 MERCHANDISE INFORMATION  
 PICKED UP BY INVENTORY  
 DELV. TYPE: HFM DOS ORDER  
 DELIVER TO: STORE 02595  
 1 2280592 WHITE, ON SAL 299.99T  
 ORDERED

COUPON NBR: 5870200185 65.00T-  
 CPN: 1022580187 RPL DT NC MDS 99.99S  
 COUPON: 5872786829  
 COUPON NBR: 5872786829 20.00T-  
 CPN: 1022580187 RPL DT NC MDS 99.99S  
 EXPECTED DATE: 11/10/04  
 EXPECTED DATE: 11/10/04  
 NAME: GEORGE BRADBERRY  
 ADDRESS: 500 SHAMREE ST  
 CITY/STATE: AUBURN, AL  
 ZIP CODE: 36830  
 PHONE: 334-821-3072 334-728-0707  
 DESTINATION ADDRESS SAME AS CUSTOMER  
 DELIV. INSTR: DISHWASHER AND RANGE IS DUE IN IN  
 11-12-04

REENTRY INFORMATION  
 START REENTRY HERE  
 1 2280592 WHITE, ON SAL 299.99T  
 ORDERED  
 COUPON NBR: 5870200185 65.00T-  
 COUPON NBR: 5872786829 20.00T-  
 CPN: 1022580187 RPL DT NC MDS 99.99S  
 1 1022580187 RPL DT NC MDS 99.99S  
 DEPT OF AREA TAX 06.000% 17.20  
 NON-TAXABLE - INSTALLED .00  
 ID: SEARS ACCOUNT  
 CARD TYPE: SEARS ACCOUNT  
 ACCT #: 06098014842937  
 AUTH CODE: 019517

SEARS

SEARS

SEARS

SEARS

NPOS713

Associate Summary  
Assoc #: 190

11/02/04 17:50:09

Type: Disc: N Date: 10/26/04 to 10/26/04  
 Reg: Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260560	10/26/04	SELLERS	-179.99	.00	SMC	SL
-	025950260561	10/26/04	EZELL, JR - 10/26/04	418.48	-101.50	SRS	SL
-	025950260562	10/26/04	TILLERY	.00	62.00	CSH	SL
-	025955312104	10/26/04	DOWDELL	192.72	-44.83	CSH	SL
-	025951220407	10/26/04	CITY OF AUBURN	17.99	-2.00	OTH	SL
-	025951220410	10/26/04	AUBURN UNIVER HONO	59.98	.00	OTH	SL
-	025950260564	10/26/04	SUTLEY	380.15	.00	OTH	SL
-	025950260565	10/26/04		10.79	.00	OTH	SL
-	025951220414	10/26/04		5.82	-.60	SMC	SL
-	025950260566	10/26/04	DOWDELL	-13	"F***" 39.92		

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

360Commerce POS C 14.020  
 TIMESTAMP: 10-26-04 17:56:01  
 MERCHANDISE DISPOSITION:  
 PICKED UP BY INSTALLER  
 DELV. TYPE: NEW POS ORDER  
 DELIVER TO: STORE 02595  
 1 26 74832 KM DRYER,G SAL 429.99T  
 ORDERED  
 CPN 5870200197  
 MERCHANDISE DOES NOT QUALIFY FOR  
 COUPON REDUCTION  
 COUPON NBR: 5870200197  
 CPN MULTI ITEM/10 65.00T-  
 CPN 5870200197  
 MERCHANDISE DOES NOT QUALIFY FOR  
 COUPON REDUCTION  
 1 10 28200187 RPL GS DRY MDS 89.99S  
 CPN 5882893  
 MERCHANDISE DOES NOT QUALIFY FOR  
 COUPON REDUCTION  
 1 10 28200187 RPL GS DRY MDS 89.99S-  
 COUPON NBR: 5882893  
 CPN MULTI ITEM/10 36.50T-  
 <<< CLEAR <<<  
 1 10 26200187 RPL GS DRY MDS 89.99S  
 EXPECTED DATE: 10/26/04  
 EXPECTED DATE: 10/26/04  
 NAME: JOHN E. EZELL  
 ADDRESS: 57 TAYLOR ST  
 CITY/STATE: ALBION, AL  
 ZIP CODE: 36001  
 PHONE: 334-727-1680  
 DESTINATION ADDRESS SAME AS CUSTOMER  
 DELIV. INSTR: <>>> PASSED <<  
 REENTRY REQUESTED  
 START REENTRY HERE  
 1 26 74832 KM DRYER,G SAL 429.99T  
 ORDERED  
 COUPON NBR: 5870200195  
 CPN MULTI ITEM/10 65.00T-  
 COUPON NBR: 5882893  
 CPN MULTI ITEM/10 36.50T-

SEARS

SEARS

SEARS

SEARS

NP08713

Associate Summary  
Assoc #: 190

11/02/04 17:51:45

Type: Disc: N Date: 10/28/04 to 10/28/04  
 Req: Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
025951220442	10/28/04		6.47	.00	CSH	SL
025950260612	10/28/04	WINTERS <i>src 2605 Kelly</i>	1527.96	-140.00	SMC	SL
025950260613	10/28/04	MEIR	.00	.00	CSH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* SEARS UP INFORMATION \*\*\*\*\*  
 360Commerce POS # 44-020  
 TIMESTAMP: 10-28-04 17:02:49  
 MERCHANTISE DISPOSITION:  
 DELIVERED BY STORE  
 DELV. TYPE: NEW DOG ORDER  
 DELV. ZIP: 36001  
 DELIVER TO: CUSTOMER  
 \$1 26 39942 MT.WASHER DWR 664.99T  
 REASON: ORDERED  
 COUPON NBR: 5870200195  
 CPN MULTI ITEM/S 65.00T  
 1 70 26518292 5Y HOMEPAP MDS 189.99S  
 1 26 48832 DRYER, MAY MTS 489.99T  
 COUPON NBR: 5872786684  
 CPN MULTI ITEM/S 50.00T  
 CPN 5872786627: COUPON NOT ACTIVE  
 CPN 5872786627: COUPON NOT ACTIVE  
 COUPON NBR: 5872786673  
 CPN MULTI ITEM/S 25.00T  
 1 70 26501292 5Y HOMEPAP MDS 139.99S  
 <<<CLEAR>>>  
 DISCARDING REMINDER:  
 REMINDER ALREADY PRESENT  
 <<<CLEAR>>>  
 <<<CLEAR>>>  
 DELV. TIME: 1721704  
 B.T.S. DATE: 1721704  
 DELIV. DATE: 1721704  
 DELIVERY FEE 60.00T  
 HALL AWAY FEE 15.00T  
 NAME: MARSHALL WINTERS  
 ADDRESS: 200 LANCELOT LANE  
 CITY/STATE: OPELKA, AL  
 ZIP CODE: 36001  
 PHONE: 334-745-7170 334-744-0166  
 DELIVERY ADDRESS SAME AS CUSTOMER  
 DELIV. INSTN: HAUL AWAY OLD MERCHANTISE  
 REENTRY REINFORCE  
 \$1 26 39942 MT.WASHER DWR 664.99T  
 REASON: ORDERED  
 COUPON NBR: 5870200195  
 CPN MULTI ITEM/S 65.00T  
 1 70 26518292 5Y HOMEPAP MDS 189.99S  
 1 26 48832 DRYER, MAY MTS 489.99T  
 COUPON NBR: 5872786684  
 CPN MULTI ITEM/S 50.00T  
 COUPON NBR: 5872786673

NP05713

Associate Summary  
Assoc #: 190

11/02/04 17:48:10

Type: Disc: N Date: 10/21/04 to 10/21/04  
 P~ Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
- 025950260485	10/21/04	RICHARDSON	917.99	.00	SRS	SL
- 025950260486	10/21/04	RICHARDSON	376.38	-501.49	SRS	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*  
 PA REPLACEMENT  
 360Commerce POS  
 TIMESTAMP: 10-21-04 18:02:23  
 AUTHORIZATION CODE: 05910513070000205  
 CLEV: TOLL FREE TAKE WITH  
 REC'D: 10-21-04 18:02:23 TDS 849.99T  
 SEARCH ACCT #: 0591051307000  
 PAY TO: RICHARDSON  
 ADDRESS: 12345 W. RICHARDSON  
 CITY: BIRMINGHAM, AL  
 STATE: AL  
 ZIP: 35211-1006  
 DESCRIPTION: REPRG 25 S  
 CARD TYPE: SEARS ACCOUNT  
 ACCT #: 05910513070000205  
 AUTH CODE: 072472  
 10-21-04 SEARS ACCOUNT TOTAL 376.38  
 ABSOLUTELY NO TAXES  
 ESR COPY: PRINTED  
 TIMESTAMP: 10-21-04 18:02:23  
 STORE REG TRN, PG ASSOC  
 INFO. PLEASE USE THIS, Pg 100

NPOS713

Associate Summary  
Assoc #: 190

11/02/04 17:49:40

Type: Disc: N Date: 10/25/04 to 10/25/04  
 Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025951220390	10/25/04	SMITH	226.78	.00	OTH	SL
-	025951220391	10/25/04	ROWE	866.37	-142.00	SRS	SL
-	025951220392	10/25/04		.00	.00		NSL
-	025951220393	10/25/04		60.00	.00	CHK	PMT
-	025951220394	10/25/04		866.37	.00	CHK	PMT
-	025951220395	10/25/04	HEARD	133.83	-32.30	SRS	SL
-	025951220396	10/25/04		133.83	.00	CSH	PMT
-	025951220400	10/25/04	BERRY	377.98	.00	SRS	SL
-	025950260552	10/25/04	JACKSON	.00	.00	CSH	SL
-	025950260553	10/25/04		.00	.00		VD

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*

SALE  
 3602commerce POS C 44.020  
 TUESDAY, 10-26-04-15:43:39  
 MERCHANDISE DISPOSITION:  
 DELIVERED BY STORE  
 DELV. TIME: 11:00 AM-1:00 PM  
 DELV. ZIP: 36050  
 DELIVER TO: CUSTOMER  
 1 46 64942 KM TH, 19 RDS 549.99T  
 ORDERED  
 1 46 25462 13.7 FT FR RDS 419.99T  
 ORDERED

ASSOCIATE DISCOUNT INFO:  
 WIPE TRAILERS!!!!!!

ASSOCIATE DISCOUNT ON  
 COUPON NBR: 5872786684 50.00T-  
 COUPON NBR: 5872086568 92.00T-  
 COUPON NBR: 5872086568 SPC CPM MULTI ITEM/10%  
 DELV. TIME: 11:00 AM-1:00 PM  
 B.T.S. DATE: 11/03/04  
 DELIV. DATE: 11/03/04  
 NAME: ETHEL ROWE  
 ADDRESS: 167 SLAUGHTER CR. RD  
 CITY/STATE: DAMP MILL, AL  
 ZIP CODE: 36050  
 PHONE: 256-896-4400 256-750-1731  
 DELIVERY ADDRESS SAME AS CUSTOMER  
 DELIV INST: > PREGASSED <  
 REENTRY REJOURNAL  
 START REENTRY HERE  
 1 46 64942 KM TH, 19 RDS 549.99T  
 ORDERED  
 1 46 25462 13.7 FT FR RDS 419.99T  
 ORDERED  
 COUPON NBR: 5872786684 50.00T-  
 COUPON NBR: 5872086568 92.00T-  
 SPC CPM MULTI ITEM/10%  
 DELIVERY FEE  
 ACCT # 116000 60.00T

NPOS713

Associate Summary  
Assoc #: 190

11/02/04 17:52:10

Type: Disc: N Date: 10/29/04 to 10/29/04  
 Req: Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Txn Typ
- 0259502 60620	10/29/04	DUFNER	5.39	.00	CSH	SL
- 0259502 60621	10/29/04	STROZIER	530.61	-62.00	MLT	SL
- 0259502 60622	10/29/04		19.17	-7.25	CHK	SL
- 0259502 60623	10/29/04		.00	.00	VD	
- 0259502 60624	10/29/04	STROZIER	422.61	-62.00	MLT	SL
- 0259502 20051	10/29/04	JERNIGAN	634.39	-162.40	OTH	SL
- 0259502 20052	10/29/04		4.85	-.50	CSH	SL
- 0259502 60629	10/29/04	OTWELL	291.03	-55.50	SMC	SL
- 0259502 60632	10/29/04	BUGG	-10.44	.32	SMC	SL
- 0259502 60633	10/29/04		75.00	.00	CSH	PMT

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*  
 SALE  
 350Commerce POS C 14.020  
 TIME: 10-29-04 12:37:16  
 MERCHANDISE DISPOSITION:  
 PICKED UP BY CUSTOMER  
 DELV. TYPE:  
 FFM - FARM STORE STOCK  
 MERCHANDISE SPARES LOCATION:  
 FILL FROM FLOOR  
 STORE PICKUP  
 3028 58821 QTY:1  
 KM, ME3, ELEC SALE 749.88T  
 COUPON NR: 5883198  
 CPN MULTI ITEM/104 74.99T-  
 AUTHORIZATION REQUIRED  
 COUPON NR: 5878077  
 MULI ITEM/104 67.49T-  
 REASON: CUSTOMER SATISFACTION  
 COUPON NR: 5872786927  
 CPN MULTI ITEM/104 20.00T-  
 EXPECTED DATE: 10/29/04  
 REASON: UNABLE TO SWIPE CARD  
 SUPERVISOR AUTH: 108457  
 NAME: GARY JERNIGAN  
 ADDRESS: 3519 ANDERSON RD  
 CITY/STATE: GELINA, AL  
 ZIP CODE: 36001  
 PHONE: 334-742-9787  
 SPECIAL INSTRUCTIONS:  
 >> BYPASSED <<  
 TAX 08.000% 46.99  
 CARD TYPE: MASTERCARD  
 ACCT #: 654551000020708770705  
 RUTH CODE: 02983741  
 10/29/04 MASTERCARD TOTAL 634.39  
 ASSDC #: 160  
 ISR COPY: PRINTED  
 REBATE FORM: PRINTED  
 TSTAMP: 10-29-04 12:41:39  
 STORE REG TRAN PG ASSOC  
 TRAN. INFO: (02595 022 0051) 01 190

NPOS713

Associate Summary  
Assoc #: 190

11/02/04 17:52:58

Type: Disc: N Date: 10/30/04 to 10/30/04  
 Reg: Acct: Ch: Time: to  
 /act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025951220495	10/30/04	WYBLE	450.46	-37.00	OTH	SL
-	025951220497	10/30/04	WILLIAMS	583.19	-75.00	SMC	SL
-	025951220499	10/30/04		12.00	.00	CSH	PMT

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*  
**SALE**  
 MFG COMMERCE POS C 44.020  
 TIME STAMP: 10-30-04-17:11:47  
 IN HAND/DCD DISPOSITION:  
 DELIVERED BY STORE  
 DELV. TYPE: HW DOS ORDER  
 DELV. ZIP: 36830  
 DELIVER TO: CUSTOMER  
 1 46 24082 20.6 FT KN SAL 549.991  
 ORDERED  
 COUPON NBR: 5883198  
 CPN MULTI ITEM/10X 55.001  
 COUPON NBR: 5872786927  
 CPN MULTI ITEM/\$ 20.001  
 DELV. TIME: NORMAL  
 B.I.S. DATE: 11/03/04  
 DELIV. DATE: 11/04/04  
 DELIVERY FEE 50.001  
 HAUL AWAY FEE 15.001  
 NAME: EDWARD WILLIAMS  
 ADDRESS: 809 WINTER HAWK DR  
 CITY/STATE: AUBURN, AL  
 ZIP CODE: 36830  
 PHONE: 334-749-1435 334-749-1435  
 DELIVERY ADDRESS SAME AS CUSTOMER  
 DELIV INSTR:  
 HAUL AWAY OLD MERCHANDISE  
 REENTRY REJOURNAL  
 START REENTRY HERE  
 1 46 24082 20.6 FT KN SAL 549.991  
 ORDERED  
 COUPON NBR: 5883198  
 CPN MULTI ITEM/10X 55.001  
 COUPON NBR: 5872786927  
 CPN MULTI ITEM/\$ 20.001  
 DELIVERY FEE  
 ACCT # 116000 65.001  
 OUT OF AREA TAX 08.000% 43.30  
 ID: AL 190  
 CARD TYPE: GEARS MASTERCARD  
 ACCT #: NS1210701217044240305  
 AUTH CODE: 000541  
 DELAYED HAUL 10/31/05  
 DELAY REASON: PROMOTIONAL  
 10/30/04 DELAYED TOTAL 583.19  
 ASSOC #: 190  
 FCR COPY: PRINTED  
 PERTAIN FORM: PRINTED  
 TIMESTAMP: 10-30-04-17:16:47  
 STORE REG TRAN PG ASSOC  
 TRAN. INFO: 025951220497101 190  
 \*\*\*\*\* END OF TRANSACTION \*\*\*\*\*

I have never been told by past or present managers not to use the coupons not to turn in at night or to ~~destroy~~ destroy. I have never been told to stop doing something and continued to do so. Managers have given coupons out to sales people which gave the impression that we could use coupons to close sales. The \$65.00 coupon was always at the register so it was assumed it was okay to use. They were in plain view and in the detail drawer.

Denise Smith

Nicole Fitzpatrick

11/5/05



Smith v. Sears  
00064  
Produced by Defendant

**BC INVESTIGATION**

**Investigation**

On OCT 31, 2004 after discovering where sales associate Beatrice Willis appeared to be giving a customer free delivery, SGM Kenneth Reese and myself noticed a large number of \$65.00 markdown taken by Bea. This markdown is for the same amount as our out of area delivery. After further investigation it was found that she was scanning a \$65 coupon. This coupon is given to customers who pay for service to come out to their home and then decline to have their appliance fixed. Service then gives the customer this coupon to keep the customer as a Sears' customer. To redeem this coupon the customer is suppose to bring the receipt from service and the coupon the store and use it on a purchase of \$399.99 or more. After investigating this it was found that the coupon was used 29 times over a thirty day period, in only about 7 of these transactions the coupon used legitimately. It was also found that another associate in the department Denise Smith was tied to the misuse of this coupon. The other times the coupon was reused and the customer had not received a visit from service. Some of the sales were for items under the \$399.99 minimum requirement.

During this investigation journal tapes were pulled to verify the coupon number that was used. Service was called to verify that a customer had received a service call of any type and what was done when service went to the customer's home. Associate service Center was contacted for advice on the steps and the final actions to be taken. The associate involved were interviewed and allowed to state there reasons, not all associates would give statements or attempt to defend their selves.

As a result of this investigation it was found that Beatrice Willis and Denis Smith had been abusing a coupon by giving it to customers who were not entitled to it and by using it on merchandise that it did not qualify for.



**ENCLOSURE #6**

1

NPOS713

Associate Summary  
Assoc #: 414

11/02/04 17:53:43

Type: Disc: N Date: 10/30/04 to 10/30/04  
 Reg: Acct: Ch: Time: to  
 R Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025951220501	10/30/04	BOUCHIN	1643.71	-182.00	SMC	SL
-	025951220502	10/30/04	KEEBLE	173.01	-67.80	SRS	SL
-	025950220078	10/30/04	LE	349.91	-86.00	SMC	SL
-	025950460040	10/30/04	GREATHOUSE	1101.59	-130.00	OTH	SL
-	025950460041	10/30/04	GREATHOUSE	367.08	-69.99	OTH	SL
-	025950460042	10/30/04		.00	.00		CLS
-	025951220503	10/30/04		.00	.00		CLS
-	025951220504	10/30/04		.00	.00		OPN
-	025951220505	10/30/04		.00	.00		CLS

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel.

*Caroline Landers*

EXHIBIT  
E

JPOS713

Associate Summary  
Assoc #: 414

11/02/04 17:52:30

Type: Disc: N Date: 10/29/04 to 10/29/04  
 Eq: Acct: Ch: Time: to  
 Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay TYP	Trn Typ
-	025951220462	10/29/04	TAYLOR	410.27	-20.00	CHK	SL
-	025951220463	10/29/04		21.58	.00	CSH	SL
-	025950260640	10/29/04		475.00	.00	SRS	SL
-	025951220464	10/29/04	CALDWELL	917.58	-103.00	MLT	SL
-	025951220465	10/29/04	OVERSTREET	237.58	-20.00	MLT	SL
-	025950260645	10/29/04		.00	.00	NEL	
-	025950260646	10/29/04		.00	.00	CLS	
-	025950260647	10/29/04		.00	.00	OPN	
-	025950260648	10/29/04		.00	.00	CLS	
-	025951220466	10/29/04	CUNNINGHAM	826.19	-85.00	SMC	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

Associate Summary  
Assoc #: 414

11/02/04 17:34:36

Type: Disc: N Date: 10/01/04 to 10/01/04  
 Seq: Acct: Ch: Time: to  
 R Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260058	10/01/04	MERRIFIELD	1158.83	.00	OTH	SL
-	025950260060	10/01/04		42.74	-69.42	CHK	SL
-	025950260062	10/01/04	BROCKWAY	1339.98	.00	SRS	SL
-	025951220030	10/01/04	LETSON	205.19	.00	OTH	SL
-	025950260063	10/01/04	STABLER	301.32	.00	CHK	SL
-	025950260064	10/01/04	ROGERS	518.39	.00	OTH	SL
-	025950260065	10/01/04	HUGHES	431.99	.00	SMC	SL
-	025951220031	10/01/04		.00	.00		CLS
-	025950260066	10/01/04		.00	.00		CLS

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

JPOS713

Associate Summary  
Assoc #: 414

11/02/04 17:35:20

Type: Disc: N Date: 10/02/04 to 10/02/04  
 Eq: Acct: Ch: Time: to  
 R Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total	Reduction	Pay	Trn
				Amount	Amount	Typ	Typ
-	025951220034	10/02/04		20.00	.00	CSH	PMT
-	025950260073	10/02/04	MCCOLLOUGH	492.47	.00	OTH	SL
-	025950260074	10/02/04		1.93	-5.20	CSH	SL
-	025950460015	10/02/04	KING <i>rec 200/04 Cognac</i> <i>Issue</i>	610.17	-74.00	SRS	SL
-	025950460016	10/02/04	GLASS	1398.60	.00	OTH	SL
-	025950460017	10/02/04		43.53	-15.60	CHK	SL
-	025950260083	10/02/04		.00	.00		NSL
-	025950260084	10/02/04	BROCKWAY	18.18	.00	SRS	SL
-	025950260085	10/02/04		40.00	.00	CHK	PMT
-	025951220049	10/02/04		.00	.00		NSL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

Associate Summary  
Assoc #: 2378

11/02/04 17:53:04

Type: Disc: N Date: 10/30/04 to 10/30/04  
 Reg: Acct: Ch: Time: to  
 Dct:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total	Reduction	Pay	Trn
				Amount	Amount	Typ	Typ
-	025950220058	10/30/04		.00	.00	OPN	
-	025951220468	10/30/04		.00	.00	OPN	
-	025951220471	10/30/04	JONES	347.75	-58.00	OTH	SL
-	025951220472	10/30/04		.00	.00	VD	
-	025951220473	10/30/04	JONES	347.75	-58.00	OTH	SL
-	025951220474	10/30/04		4.86	.00	OTH	SL
-	025950260655	10/30/04		200.00	.00	CHK	PMT
-	025950220063	10/30/04	PITTS	1204.14	-161.50	CHK	SL
-	025951220480	10/30/04	DONALD	269.99	-50.00	OTH	SL
-	025951220481	10/30/04	EASTEP	829.69	-155.00	SRS	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel


 EXHIBIT

F

NPOS713

Associate Summary  
Assoc #: 2378

11/02/04 17:53:07

Type:

Req:  
Acct:  
Ch:  
ct:Disc: N Date: 10/30/04 to 10/30/04  
Time: to

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025951220482	10/30/04	BLACK	1412.99	-221.90	AMX	SL
-	025951220483	10/30/04	BLACK <i>SLC Regis</i> <i>Ray 9-18-04</i>	1212.83	-197.00	AMX	SL
-	025951220484	10/30/04	BLACK	880.16	-111.00	AMX	SL
-	025951220485	10/30/04	BLACK	476.05	-81.68	AMX	SL
-	025950460031	10/30/04	SCROGGINS	1355.97	-184.00	MKT	SL
-	025950460032	10/30/04	SCROGGINS	1735.78	-204.00	CHK	SL
-	025950460033	10/30/04		10.79	.00	CSH	SL
-	025951220491	10/30/04		37.79	.00	OTH	SL
-	025951220492	10/30/04		34.01	-3.50	OTH	SL
-	025951220493	10/30/04		.00	.00		VD

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

Associate Summary  
Assoc #: 2378

11/02/04 17:34:29

Type:  
Req: Acct: Ch: Disc: N Date: 10/01/04 to 10/01/04  
Act: Time: to

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260054	10/01/04	SANDERFORD	.00	.00	CSH	SL
-	025950037855	10/01/04	BILLINGSLEA	-680.39	70.00	SMC	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPoS713

Associate Summary  
Assoc #: 2378

11/02/04 17:37:44

Type:  
Req: Acct: Ch: Disc: N Date: 10/06/04 to 10/06/04  
Act: Time: to

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260171	10/06/04	ALLEN	572.38	-70.00	SMC	SL
-	025950260172	10/06/04	ALLEN	-593.98	.00	MLT	SL
-	025951220131	10/06/04	HARVEY	.00	.00	CSH	SL
-	025951220132	10/06/04		.00	.00		NSL
-	025951220133	10/06/04		.00	.00		CLS
-	025955220947	10/06/04		14.57	-10.00	CSH	SL
-	025950260174	10/06/04		.00	.00		NSL
-	025950260175	10/06/04		.00	.00		CLS

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

Associate Summary  
Assoc #: 2378

11/02/04 17:42:16

Type: Disc: N Date: 10/12/04 to 10/12/04  
 Reg: Acct: Ch: Time: to  
 Luct:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260273	10/12/04	WOODS	-72.90	.00	SMC	SL
-	025950260274	10/12/04	CITY OF TUSKEGEE	1089.98	-10.00	CHK	SL
-	025951220215	10/12/04		118.00	.00	CHK	PMT
-	025950260275	10/12/04	OBIEKWE	521.04	-482.44	CHK	SL
-	025950260276	10/12/04	TRIMBLE	.00	-549.89	CSH	SL
-	025951220216	10/12/04	MANLEY	637.19	-100.00	SRS	SL
-	025951220217	10/12/04	MANLEY	161.34	-24.00	SRS	SL
-	025951220218	10/12/04		.00	.00		NSL
-	025951220219	10/12/04		.00	.00		CLS
-	025950260277	10/12/04		.00	.00		NSL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

## Associate Summary

11/02/04 17:42:40

Assoc #: 2378

Type:

Reg:

Acct:

Ch:

Disc: N Date: 10/12/04 to 10/12/04

Time: to

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260278	10/12/04		.00	.00		NSL
-	025950260279	10/12/04	SEESOCK	999.98	-50.00	SMC	SL
-	025950260280	10/12/04		.00	.00		CLS

Enter F3=Exit F7=Bkwd F9=Fwd F12=Cancel

NPOS713

## Associate Summary

11/02/04 17:43:48

Assoc #: 2378

Type: Disc: N Date: 10/14/04 to 10/14/04  
Reg: Acct: Ch: Time: to  
uct:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025951220254	10/14/04		51.81	.00	OTH	SL
-	025950260308	10/14/04		.00	.00		NSL
-	025951220240	10/14/04	GIBSON	2691.32	-228.00	SMC	SL
-	025951220241	10/14/04	GIBSON	1652.39	.00	SMC	SL
-	025951220242	10/14/04		100.00	.00	CSH	PMT
-	025950260311	10/14/04		9.71	.00	CSH	SL
-	025951220243	10/14/04		38.87	-4.00	OTH	SL
-	025950260312	10/14/04	HOLLISWORTH	166.24	.00	DSC	SL
-	025951220245	10/14/04	GIBSON	442.79	.00	SMC	SL
-	025950260315	10/14/04		16.19	-5.00	CSH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

Associate Summary  
Assoc #: 2378

11/02/04 17:45:09

Type:

Reg: Acct: Ch:  
Act:Disc: N Date: 10/16/04 to 10/16/04  
Time: to

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260358	10/16/04		.00	.00		OPN
-	025950260359	10/16/04	ALLEN	-2249.99	250.00	CSH	SL
-	025950260360	10/16/04		701.96	.00	CSH	PMT
-	025950260361	10/16/04	ALLEN	-798.88	110.99	CSH	SL
-	025950260362	10/16/04	ALLEN	2850.98	-349.00	CSH	SL
-	025950260363	10/16/04		.00	.00		NSL
-	025950570406	10/16/04		25.91	.00	SRS	SL
-	025951220271	10/16/04		400.00	.00	CHK	PMT
-	025950260364	10/16/04	ALLEN	.00	.00	CSH	SL
-	025950260366	10/16/04		.00	.00		NSL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

Associate Summary  
Assoc #: 2378

11/02/04 17:49:51

Type: Disc: N Date: 10/25/04 to 10/25/04  
Reg: Acct: Ch: Time: to  
Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025951220383	10/25/04		.00	.00		OPN
-	025950260534	10/25/04	FOREHAND	-1799.97	160.00	SRS	SL
-	025950260535	10/25/04	JACKSON	-16.20	.00	SRS	SL
-	025950260536	10/25/04	ROBINSON	1233.08	-96.00	SMC	SL
-	025951220397	10/25/04		100.00	.00	CSH	PMT
-	025951220399	10/25/04	BARNES	556.19	-50.00	CHK	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

13

Associate Summary  
Assoc #: 2378

11/02/04 17:50:17

e:

Acct: Ch: Disc: N Date: 10/26/04 to 10/26/04  
Time: to

act:

pe an X in the selection field. Then press enter.

Sel Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
025951220408	10/26/04	HOUSTON	261.97	.00	CHK	SL
025951220409	10/26/04		72.00	.00	CSH	PMT
025951220411	10/26/04		27.51	.00	OTH	SL
025951220412	10/26/04	BARLOW	1411.99	-122.23	SMC	SL
025951220413	10/26/04	BARLOW	1252.42	-104.00	SMC	SL
025950260567	10/26/04	MC ALISTER	-469.98	30.00	CSH	SL
025950260568	10/26/04	MC ALISTER	684.98	-65.00	MLT	SL
025950260569	10/26/04		.00	.00		NSL
025950260570	10/26/04		.00	.00		NSL
025950260571	10/26/04	CLAY	455.64	-57.99	SMC	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NP0S713

Associate Summary  
Assoc #: 2378

11/02/04 17:51:10

Type: Disc: N Date: 10/27/04 to 10/27/04  
 Req: Acct: Ch: Time: to  
 - Act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260580	10/27/04	FOREHAND	2254.96	-205.00	SRS	SL
-	025950260582	10/27/04	WOODS	51.30	.00	SMC	SL
-	025950260583	10/27/04		86.94	.00	CHK	PMT
-	025951220422	10/27/04		6.47	.00	CSH	SL
-	025950260587	10/27/04	FINDLEY	-70.20	.00	SRS	SL
-	025951220424	10/27/04		2530.33	.00	CHK	PMT
-	025951220425	10/27/04		1000.00	.00	CHK	PMT
-	025950260589	10/27/04	JOHNS	1110.21	-62.00	SRS	SL
-	025950260590	10/27/04		.00	.00	VD	
-	025950260591	10/27/04	JOHNS	1002.21	-162.00	SRS	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

Associate Summary

11/02/04 17:52:22

Assoc #: 2378

Type: Disc: N Date: 10/29/04 to 10/29/04  
Req: Acct: Ch: Time: to  
Subj:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260636	10/29/04	ELDERS	278.62	.00	CSH	SL
-	025950260637	10/29/04	WILSON	645.76	.00	OTH	SL
-	025950260638	10/29/04	WILSON	-10.80	.00	OTH	SL
-	025950260642	10/29/04	LIU	309.25	-65.15	OTH	SL
-	025950260643	10/29/04	LIU	290.78	-63.25	OTH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

Associate Summary  
Assoc #: 2378

11/02/04 17:53:32

Type: Disc: N Date: 10/30/04 to 10/30/04  
 eq: Acct: Ch: Time: to  
 R act:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025951220494	10/30/04		12.00	.00	CHK	PMT
-	025950460035	10/30/04	WARREN	194.39	-20.00	CSH	SL
-	025950460036	10/30/04	HYDE	615.59	-80.00	SRS	SL
-	025950460037	10/30/04	PAXTON	1101.59	-130.00	CHK	SL
-	025950220075	10/30/04	LYLES	954.97	-95.00	SRS	SL
-	025950220076	10/30/04	LYLES	437.18	-60.00	SRS	SL
-	025950220077	10/30/04		84.00	.00	CHK	PMT

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

Statement

Unit # 2585 Incident # \_\_\_\_\_  
P. 1 of 1

I was interview by Terry and Nina Fitzwater about miss use of a Service Coupon. Question was legitimate Daughter had Service Call and send Mother the Coupon and She purchase the Refrig. for her as a gift.

Completed by Jacquelyn Dodson Signed Jacquelyn Dodson Date 11/15/04  
Reviewed by Terry Gandy Signed Terry Gandy Date 11/15/04  
10028 (Rev 8/96)

EXHIBIT

G

HFM Customer Record  
Salescheck # 025950220752

11/04/04 12:59:04

NPOS413

P GANDY, TERRY  
 U 2038 LEE RD # 137  
 R  
 C AUBURN, AL 36832  
 H: 334 821 2396 W: 334 332 1247  
 D \_\_\_\_\_  
 E \_\_\_\_\_  
 L \_\_\_\_\_  
 H: \_\_\_\_\_ W: \_\_\_\_\_

Sale Amt : 352.31  
 Sale Dt: 08/20/04 Reductns : 30.00  
 Proms Dt: 08/20/04 Discount : 36.99  
 Order Dt: 08/20/04 Tax : 19.43  
 Recev Dt: 08/20/04 Delv Chg : 0.00  
 Notif Dt: 08/20/04 Deposit : 0.00  
 Cancl Dt: / / Bal Due : 0.00  
 Binck Dt: / / Type Pymt: GCD  
 D - W : Assoc. #: 000869  
 Acct #:  
 Delayed Billing Date: / /  
 Deferred Payment Date:

USPS/UPS:

Spc Inst FILL FROM FLOOR. CPU

Div	Item/Sku	Description	Order Qty	Item Amount	Qty Rec'd	Delivery Date	Pickup Date	Gft.Rec.	Bin Loc
022	16512000	DISHWASHER, B 0001	299.88	0001	/ /	08/20/04	/ /		2

(MORE)

ENTER F3=EXIT F4=COMMENTS F5=CORRECTIONS F7=BKWD F8=FWD F12=CANCEL



HFM Customer Record  
Salescheck # 025950220752

11/04/04 12:59:13

NPOS413

P GANDY, TERRY  
 U 2038 LEE RD # 137  
 R \_\_\_\_\_  
 C AUBURN, AL 36832  
 H: 334 821 2396 W: 334 332 1247  
 D \_\_\_\_\_  
 E \_\_\_\_\_  
 L \_\_\_\_\_  
 H: \_\_\_\_\_ W: \_\_\_\_\_

USPS/UPS:

Spc Inst FILL FROM FLOOR, CPU

Sale Amt : 352.31  
 Sale Dt: 08/20/04 Reductns : 30.00  
 Proms Dt: 08/20/04 Discount : 36.99  
 Order Dt: / / Tax : 19.43  
 Recev Dt: / / Delv Chg : 0.00  
 Notif Dt: / / Deposit : 0.00  
 Cancl Dt: / / Bal Due : 0.00  
 Binck Dt: / / Type Pymt: GCD  
 D - W : Assoc. #: 000869  
 Acct #:  
 Delayed Billing Date: / /  
 Deferred Payment Date:

Div	Item/Sku	Description	Order Qty	Item Amount	Qty Rec'd	Delivery Date	Pickup Date	Gft.Rec. Date	Bin Loc
070	22316292	3Y HOMEMPA	0001	99.99	0000	/ /	/ /	/ /	/ /

(MORE)

ENTER F3=EXIT F4=COMMENTS F5=CORRECTIONS F7=BKWD F8=FWD F12=CANCEL

NPOS713

Associate Summary  
Assoc #: 869

11/08/04 17:58:17

Type: Disc: N Date: 05/01/04 to 05/31/04  
 Reg: Acct: Ch: Time: to  
 R ct:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950229823	05/01/04		4709.19	.00	CHK	PMT
-	025950267554	05/01/04		25.00	.00	CSH	PMT
-	025950267555	05/01/04		15.00	.00	CSH	PMT
-	025950267559	05/01/04	LEE	452.58	.00	SMC	SL
-	025950576214	05/01/04		40.00	.00	CSH	PMT
-	025950267563	05/02/04	HUMPHREY	777.48	-79.99	SMC	SL
-	025950267564	05/02/04	THROWER	439.13	-83.28	CHK	SL
-	025950267569	05/02/04		60.00	.00	CSH	PMT
-	025950267575	05/02/04		236.00	.00	CHK	PMT
-	025950267577	05/02/04	MERRITT	592.79	-90.99	CHK	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

Associate Summary  
Assoc #: 869

11/08/04 17:57:47

Type: Disc: N Date: 05/01/04 to 05/31/04  
 Reg: Acct: Ch: Time: to  
 R ct:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950229992	05/23/04	STEAKHOUSE AND SUS	172.67	.00	CHK	SL
-	025950229993	05/23/04	STEAKHOUSE AND SUS	475.06	.00	CHK	SL
-	025950268365	05/24/04		600.00	.00	CHK	PMT
-	025950268369	05/24/04	WISDOM	129.52	.00	CHK	SL
-	025959016838	05/24/04	HERRICK	-329.98	.00	CSH	SL
-	025959016839	05/24/04	HERRICK	384.98	-65.00	MLT	SL
-	025950268389	05/25/04		48.59	.00	CSH	PMT
-	025950268395	05/25/04		25.00	.00	CSH	PMT
-	025950268399	05/25/04	BATTLES	248.27	.00	CSH	SL
-	025950220003	05/25/04	BATTLES	518.39	.00	CSH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NP0S713

## Associate Summary

11/08/04 17:57:34

Assoc #: 869

Type:

Reg: Acct:

Ch:

Disc: N Date: 05/01/04 to 05/31/04

R ct:

Time: to

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950267746	05/06/04	DORTON	566.70	.00	CHK	SL
-	025950267747	05/06/04	BISHOP	201.86	.00	OTH	SL
-	025950267748	05/06/04		60.00	.00	CSH	PMT
-	025950229849	05/06/04	ALLEN	215.87	.00	SRS	SL
-	025950267750	05/06/04		3750.00	.00	CHK	PMT
-	025950267752	05/06/04		3658.00	.00	CHK	PMT
-	025950229864	05/08/04	JONES	523.66	-95.00	SRS	SL
-	025950229866	05/08/04	JONES	523.66	-95.00	SRS	SL
-	025950229867	05/08/04		231.01	.00	CHK	PMT
-	025950267827	05/08/04	BURNEY	172.67	.00	SRS	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPUS/LS

## Associate Summary

11/08/04 17:58:48

Assoc #: 414

Type: Disc: N Date: 05/01/04 to 05/30/04  
 Reg: Acct: Ch: Time: to  
 Ref:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950267571	05/02/04	SANFORD	880.05	-116.99	SRS	SL
-	025950229826	05/02/04	BOCEMAN	826.19	-85.00	OTH	SL
-	025950229827	05/02/04	MCGINTY	566.31	-141.13	SMC	SL
-	025950267576	05/02/04		50.00	.00	CHK	PMT
-	025950229829	05/02/04	SINELNIKOV	296.98	-33.00	SRS	SL
-	025950267579	05/02/04	CURTIS	686.32	-183.90	MLT	SL
-	025950267632	05/03/04		60.00	.00	CSH	PMT
-	025950267633	05/03/04		116.00	.00	CHK	PMT
-	025950267634	05/03/04		167.16	.00	CHK	PMT
-	025950267635	05/03/04		66.00	.00	CHK	PMT

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS/15

Customer Detail Display  
SC# 025950039767

11/05/04 10:05:24

Purchasing Customer: Deliver to Customer:  
GANDY, TERRY  
3 LEE RD # 137

AUBURN, AL 36832  
H 334-821-2396 W 334-332-1247

H W

Sales Date : 03/06/04	Sale Amount:	999.97	Total Amount:	787.29
Time of Sale: 13:02:25	Reductions :	-190.00	Balance Due :	.00
Delivered :	Discount :	-81.00		
Pick-Up : 03/14/04	Tax :	58.32	Payment Type:	SMC
Delay Bill : 02/28/05	Delivery :	.00		
Cancelled :	Deposit :		Trans. Type:	SL

Ringing Associate #: 190 Account #: 5121071823069020  
Selling Associate #: 190 Transfer to Store:

F3=Exit F4=Comments F5=Item

NPOS413

HFM Customer Record  
Salescheck # 025950267209

11/09/04 12:32:34

P REESE, KENNETH  
 U 1505 COVINGTON AVE  
 R \_\_\_\_\_  
 C OPELIKA, AL 36801  
 H: 334 741 5370 W: 334 329 8471  
 D REESE, KENNETH  
 E 1505 COVINGTON AVE  
 L \_\_\_\_\_  
OPELIKA, AL 36801  
 H: 334 741 5370 W: 334 329 8471

Sale	Amt :	475.13		
Dt:	04/21/04	Reductns :	0.00	
Proms	Dt:	04/22/04	Discount :	44.99
Order	Dt:	04/21/04	Tax :	25.20
Recev	Dt:	04/21/04	Delv Chg :	45.00
Notif	Dt:	04/22/04	Deposit :	0.00
Cancl	Dt:	/ /	Bal Due :	0.00
Binck	Dt:	/ /	Type Pymt:	GCD
D - W :			Assoc. # :	002428
Acct #:				
Delayed Billing Date:		/ /		
Deferred Payment Date:				

USPS/UPS:

Spc Inst REFRIGERATOR IS ON THE FLOOR.

Div	Item/Sku	Description	Order Qty	Item Amount	Qty Rec'd	Delivery Date	Pickup Date	Gft.Rec.	Bin Loc
046	52334991	REFRIG, 23' S 0001		299.93	0001	04/22/04	/ /	/ /	9
(MORE)									

ENTER F3=EXIT F4=COMMENTS F5=CORRECTIONS F7=BKWD F8=FWD F12=CANCEL

NPUS/13

## Associate Summary

11/08/04 17:59:01

Assoc #: 414

Type:

Reg: Acct:

Ch:

Disc: N Date: 05/01/04 to 05/30/04

R( )ct:

Time: to

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950267636	05/03/04	RIDDLE	1007.63	.00	SRS	SL
-	025950267637	05/03/04	HEAD	323.99	.00	MLT	SL
-	025950267657	05/04/04	HINES	399.98	.00	CHK	SL
-	025950229920	05/16/04	MCDONALD	653.26	.00	OTH	SL
-	025950268088	05/16/04		24.00	.00	CSH	PMT
-	025950268097	05/16/04	BARNES	534.59	-25.00	SRS	SL
-	025950268100	05/16/04	KIM	362.74	.00	SRS	SL
-	025950268101	05/16/04		81.43	.00	CHK	PMT
-	025950268102	05/16/04	KNIGHT	510.27	-72.50	SRS	SL
-	025950268103	05/16/04	BARNES	449.98	.00	OTH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

## Associate Summary

11/08/04 17:42:11

Assoc #: 414

Type: Disc: N Date: 08/01/04 to 08/31/04  
 Reg: Acct: Ch: Time: to  
 R<sup>t</sup>:  
 \_\_\_\_\_

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950220932	08/26/04	SMITH	381.46	.00	SRS	SL
-	025950036174	08/28/04	STEVENS	748.22	.00	OTH	SL
-	025950220986	08/28/04	HITE	664.19	-65.00	OTH	SL
-	025950220988	08/28/04	SIMS	718.17	.00	OTH	SL
-	025950220996	08/28/04	LEGGETT	87.47	-9.00	OTH	SL
-	025950220997	08/28/04		.00	.00		NSL
-	025950220998	08/28/04		.00	.00		CLS
-	025950221002	08/29/04	TEEL	1234.42	.00	SMC	SL
-	025950221003	08/29/04		107.99	.00	SMC	SL
-	025950221004	08/29/04		6.31	.00	CSH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

## Associate Summary

11/08/04 17:43:33

Assoc #: 869

Type: Disc: N Date: 07/01/04 to 07/31/04  
 Rec: Acct: Ch: Time: to  
 Re: ct:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950260693	07/30/04	CURRAN	1274.27	-65.00	DSC	SL
-	025950260701	07/30/04		100.00	.00	CHK	PMT
-	025950260702	07/30/04		100.00	.00	CHK	PMT
-	025950260703	07/30/04		40.00	.00	CHK	PMT
-	025959018934	07/30/04	HUANG	-48.60	.00	OTH	SL
-	025959018936	07/30/04	HUANG	-48.60	.00	CSH	SL
-	025950260709	07/30/04		68.61	.00	CHK	PMT
-	025950260060	07/10/04	MURRAY	80.99	.00	CSH	SL
-	025950220399	07/10/04	HARRIS	151.18	.00	CHK	SL
-	025950260069	07/11/04		29.38	.00	CHK	PMT

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

## Associate Summary

11/08/04 17:57:15

Assoc #: 869

Type: Disc: N Date: 05/01/04 to 05/31/04  
 Rea: Acct: Ch: Time: to  
 R pt:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total Amount	Reduction Amount	Pay Typ	Trn Typ
-	025950268163	05/18/04	SCAIFE	647.99	-65.00	SMC	SL
-	025950229935	05/18/04	HAYES	1276.44	.00	SMC	SL
-	025950268184	05/19/04		140.00	.00	CHK	PMT
-	025950268185	05/19/04		80.00	.00	CHK	PMT
-	025950268186	05/19/04		8.00	.00	CSH	PMT
-	025950268187	05/19/04		50.00	.00	CSH	PMT
-	025950268298	05/22/04		1562.75	.00	CHK	PMT
-	025950229966	05/22/04	WOOD	264.27	-19.99	CHK	SL
-	025950268301	05/22/04	WHATLEY	286.06	-5.00	CHK	SL
-	025950220041	05/29/04		75.00	.00	CHK	PMT

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

HFM Customer Record  
Salescheck # 025950220753

11/04/04 13:00:01

NPOS413

P GANDY, TERRY  
 U 2038 LEE RD # 137  
 R \_\_\_\_\_  
 C AUBURN, AL 36832  
 H: 334 821 2396 W: 334 332 1247  
 D \_\_\_\_\_, \_\_\_\_\_  
 E \_\_\_\_\_  
 L \_\_\_\_\_  
 H: \_\_\_\_\_ W: \_\_\_\_\_

Sale Amt :	354.47
Reductns :	30.00
Prooms Dt:	<u>08/20/04</u>
Discount :	36.99
Order Dt:	<u>/ /</u>
Tax :	21.59
Recev Dt:	<u>/ /</u>
Delv Chg :	0.00
Notif Dt:	<u>/ /</u>
Deposit :	0.00
Cancl Dt:	<u>/ /</u>
Bal Due :	0.00
Binck Dt:	<u>/ /</u>
Type Pymt:	GCD
D - W :	
Assoc. # :	000869

Acct #:

Delayed Billing Date: / /

Deferred Payment Date:

USPS/UPS:

Spc Inst FILL FROM FLOOR CPU

Div	Item/Sku	Description	Order Qty	Item Amount	Qty Rec'd	Delivery Date	Pickup Date	Gft.Rec.	Bin Loc
070	22301292	3Y HOMEMPA	0001	69.99	0000	<u>/ /</u>	<u>/ /</u>	<u>/ /</u>	<u>/ /</u>

(MORE)

ENTER F3=EXIT F4=COMMENTS F5=CORRECTIONS F7=BKWD F8=FWD F12=CANCEL

HFM Customer Record  
Salescheck # 025950220753

11/04/04 12:59:47

NPOS413

P GANDY, TERRY  
 U 2038 LEE RD # 137  
 R   
 C AUBURN, AL 36832  
 H: 334 821 2396 W: 334 332 1247  
 D ,   
 E   
 L ,   
 H: \_\_\_\_\_ W: \_\_\_\_\_

Sale Amt : 354.47  
 Sale Dt: 08/20/04 Reductns : 30.00  
 Proms Dt: 08/20/04 Discount : 36.99  
 Order Dt: 08/20/04 Tax : 21.59  
 Recev Dt: 08/20/04 Delv Chg : 0.00  
 Notif Dt: 08/20/04 Deposit : 0.00  
 Cancl Dt: / / Bal Due : 0.00  
 Binck Dt: / / Type Pymt: GCD  
 D - W : Assoc. #: 000869  
 Acct #:  
 Delayed Billing Date: / /  
 Deferred Payment Date:

USPS/UPS:

Spc Inst FILL FROM FLOOR CPU

Div	Item/Sku	Description	Order Qty	Item Amount	Qty Rec'd	Delivery Date	Pickup Date	Gft.Rec.	Bin Loc
022	42702000	COOKTOP 30", 0001	329.88	0001	/ /	08/20/04	/ /		3

(MORE)

ENTER F3=EXIT F4=COMMENTS F5=CORRECTIONS F7=BKWD F8=FWD F12=CANCEL

NPOS713

Associate Summary  
Assoc #: 414

11/08/04 17:40:51

Type: Disc: N Date: 09/01/04 to 09/30/04  
 Reg: Acct: Ch: Time: to  
 R ct:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total	Reduction	Pay	Trn
				Amount	Amount	Typ	Typ
-	025950260028	09/30/04	PITTS	253.79	-65.00	OTH	SL
-	025950260029	09/30/04		.00	.00		NSL
-	025950260030	09/30/04		.00	.00		NSL
-	025950260031	09/30/04		.00	.00		NSL
-	025950260032	09/30/04		.00	.00		NSL
-	025950220035	09/30/04	BAUERMEISTER	509.99	-90.00	OTH	SL
-	025950220036	09/30/04	COX	334.98	.00	CHK	SL
-	025950220037	09/30/04		.00	.00		NSL
-	025950260033	09/30/04		.00	.00		NSL
-	025950220039	09/30/04	MEADOWS	.00	.00	CSH	SL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

NPOS713

## Associate Summary

11/02/04 17:34:17

Assoc #: 190

Type:

Disc: N Date: 10/01/04 to 10/01/04

Re: Acct: Ch: Time: to  
Fct:

Type an X in the selection field. Then press enter.

Sel	Salescheck#	Date	Customer	Total	Reduction	Pay	Trn
				Amount	Amount	Typ	Typ
-	025950260053	10/01/04	<i>CLINT NO SVC</i>	50.00	.00	CSH	PMT
-	025950260056	10/01/04	TILL NO SVC	179.81	-65.00	CSH	SL
-	025951220028	10/01/04	JAMES	1047.58	.00	SRS	SL
-	025951220029	10/01/04		.00	.00		NSL

Enter F3=Exit F7=Bkwd F8=Fwd F12=Cancel

8/17/2006 5412

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*  
**SALE**  
360Commerce POS C 44.017  
TIMESTAMP: 10-01-04-15:52:26  
MERCHANDISE DISPOSITION:  
PICKED UP BY CUSTOMER  
DELV. TYPE: HFM DOS ORDER  
DELIVER TO: STORE 02595  
42 33616 WHTR,PM6 MDS 249.99T  
COUPON NBR: 5870200195  
CPN MULTI ITEM/\$ 65.00T

ASSOCIATE DISCOUNT INFO:  
*MIPCRUHSAMHIIIIII*

ASSOCIATE DISCOUNT ON  
EXPECTED DATE: 10/06/04  
EXPECTED DATE: 10/06/04  
NAME: CLINT TEAL  
ADDRESS:  
5500 WEBSTER RD. LOT. 308  
CITY/STATE: AUBURN, AL  
ZIP CODE: 36830  
PHONE: 334-821-8650  
DELIV INSTR: >> BYPASSED <<  
ASSOCIATE DISC 18.50 -  
TAX 08.000% 13.32  
CASH 200.00  
10/01/04 CASH TOTAL 179.81  
ASSOC #: 190

FUTURE COUPON: 00082900

TIMESTAMP: 10-01-04-15:59:46  
STORE REG TRAN PG ASSOC  
TRAN. INFO: [02595 026 0056] 01 190

\*\*\*\*\* START OF TRANSACTION \*\*\*\*\*

Produced by Plaintiff  
00098  
Denise L. Smith

\*== IBM SYSTEM ===== Printing Header ===== PORT 05 ==\*

\*=====

\* RESOURCE NAME : M0000047

\*=====

\*{ }=====  
NP00215- 44 NPS - View/update Serviceable Mdse Items List 11/04/04

Type the Action Code and Row Number below. Then press Enter.

Action code: (1=Add item 2=View/change item 3=Delete item)

4=Crt Site SO/Sears 5=Crt Shop SO/Sears 6=Display SO

Row Number : 7=Crt Site SO/A&E 8=Crt Shop SO/A&E 9=Order Parts 0=Terms)

(S = 3rd Party Store Stock)

Home phone Can also be reached at  
(334)821-2396 (334)332-1247

ET:

Segment CD

Cross Streets:

Row Mdse Description	Model Number	Purch/ Recvd	Svc	Cvg	Pnd	Exp Dt	Svc
001 DVD, RV32K, PANASONIC	222RV32K	12/16/02	SHOP	CC			
002 TV 27", KV27FS100L SONY	474KV27FS100	01/31/03	SITE	CC			
003 TV 27", CT-27SL14 PANA	222CT27SL14	08/14/04	SHOP	WMPA	08/14/06		
004 PTV 43",43F300 HTH HDTV	93443F300	03/06/04	SITE	IW	03/06/05		
005 CAM, DCRTRV22, SONY	474DCRTRV22	01/09/04	SHOP	CC			

Different Repair Address N (Y/N) Override N (Y/N) Override Cd (C=Contractor)  
R0043 Verify alternate phone number and address

Enter F1=Help F3=Exit F7=Bkwd F8=Fwd F12=Prev screen

From: Terry Gandy/FBI-ATLSEARS  
To: Michael Cleatingham  
Date: Friday, April 22, 2005 11:45AM  
Subject: Michael Cleatingham

Michael Cleatingham was terminated after repeatedly offering delivery at a price less than what the store charged. He signed an agreement stating that he knew the policy for store delivery and that he would no longer offer to deliver merchandise himself. I personally discussed this marking delivery arrangements over the telephone for a customer which he danted when I immediately confronted him about it. He then offered a customer named Mr. Phillips delivery at a price less than what the store charged. Upon discussion who met know is that Mr. Phillips is the District Loss Prevention managers brother. This was addressed by myself and John Lewis (Districts manager) Michael admitted to offering the delivery and he was terminated for repeated violation of company policy.

Terry Gandy  
2505 1st St.  
Office # 334.502.2011  
Fax # 334.502.2039

EXHIBIT 1

EXHIBIT  
I

SMITH V. SEARS